



MESSAGES OF THE PRESIDENT FIDEL V. RAMOS

1992-1998

BOOK 12 | VOLUME 4

Executive Orders Part 3



President Fidel V. Ramos, Twelfth President of the Philippines
and Second President of the Fifth Republic.



MESSAGES OF THE PRESIDENT

FIDEL V. RAMOS

1992-1998

BOOK 12 | VOLUME 4
Executive Orders Part 3

Messages of the President Book 12: Fidel V. Ramos

Volume 4 Part 3

Presidential Communications Development and Strategic Planning Office

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Volume 4 Part 3

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INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Weeks/Months in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fourth volume of President Fidel V. Ramos' official papers, which constitutes the 12th book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Ramos' Executive Orders, which provide for rules of a general or permanent character in implementation or execution of constitutional or statutory powers.

BOOK 12

PRESIDENT FIDEL V. RAMOS

President Fidel V. Ramos was the twelfth President of the Philippines and was the second President of the fifth Republic. He assumed office on June 30, 1992 and was President until June 30, 1998.

The Executive Issuances of President Ramos began with Executive Order No. 1 and Memorandum Circular No. 1, signed on June 30, 1992 and ended with Proclamation No. 1266 that was signed on June 27, 1998.

President Ramos' documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; SONA Technical Report; To Win the Future: People Empowerment for National Development; A Call to Duty; Citizenship and Civic Responsibility in a Third World Democracy; Time for Takeoff: The Philippines is ready for Competitive Performance in the Asia-Pacific; From Growth to Modernization: Raising the Political Capacity and Strengthening the Social Commitments of the Philippine State; Our Time has Come: The Goals we Set Ourselves to Obtain for our People are Now Within our Reach; Leadership for the 21st Century: Our Labors Today will Shape our Country's Future; The Continuity of Freedom: A Democratic and Reformist Society is our Unique Competitive Advantage; and Developing as a Democracy: Reform and Recovery in the Philippines, 1992-1998.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

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President Fidel V. Ramos warmly welcomed by residents of Subic, Zambales, April 13, 1996.



MESSAGES OF THE PRESIDENT

FIDEL V. RAMOS

1992-1998

BOOK 12 | VOLUME 4
Executive Orders Part 3



President Fidel V. Ramos meets several women in General Santos City, South Cotabato.

EXECUTIVE ORDERS

An Executive Order provides for rules of a general or permanent character in implementation or execution of constitutional or statutory powers. The Executive Orders of President Fidel V. Ramos began on June 30, 1992 with Executive Order No. 1 and ended on June 11, 1998 with Executive Order No. 488.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 326

PROVIDING FOR THE SUSPENSION OF THE REQUIREMENTS OF EXECUTIVE ORDER NO. 10 WHICH MANDATES ALL GOVERNMENT FINANCIAL INSTITUTIONS TO USE INCOME TAX RETURNS AND FINANCIAL STATEMENTS DULY FILED WITH, AND CERTIFIED BY THE BUREAU OF INTERNAL REVENUE IN EVALUATING THE BORROWER'S CAPACITY TO PAY, PROVIDED THAT THIS SUSPENSION SHALL ONLY BE APPLICABLE TO MICRO, COTTAGE AND SMALL ENTERPRISES

WHEREAS, in consonance with Presidential Proclamation No. 595, declaring 1996 as the Small Enterprises Development Year;

WHEREAS, as embodied in Republic Act 6977, otherwise known as the Magna Carta for Small Enterprises, it is the policy of the State to promote, support, strengthen and encourage the growth and development of small and medium enterprises in all productive sectors of the economy towards countryside industrialization;

WHEREAS, cognizant of the fact that the most rapid way of advancing the commercial and economic interests of the micro, cottage and small enterprises, as defined by the Small and Medium Enterprises Development Council, is by providing them access to available financing facilities of government financing institutions;

WHEREAS, recognizing that a great number of micro, cottage and small enterprises which are not able to prepare necessary financial statements and income tax returns, in accordance with Executive Order 10, resort to informal and unrecognized financing alternatives, thereby tolerating the existence of loan sharks and usurers;

WHEREAS, realizing the imperative objective of the prevailing Tax Reform Program of the Government, and in facilitation thereof, heightened revenues could be potentially generated should these micro, cottage and small enterprises be drawn into the formal economic sphere;

WHEREAS, the government financing institutions, in their lending programs shall educate these enterprises in the preparation of financial statements and income tax returns, and require them to file with the Bureau of Internal Revenue;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby suspend the requirements of Executive Order No. 10; *Provided:*

- a) That this suspension shall only apply to micro, cottage and small enterprises, as defined by the Small and Medium Enterprises Development Council (SMED Council);
- b) That these micro, cottage and small enterprises can avail of the benefit only once;
- c) That this suspension shall be in effect for a period of five (5) years from date thereof; and
- d) That, *finally*, this suspension shall be consistent and run parallel to the Comprehensive Tax Reform Program of the Government.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this **17th** day of **April**, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 327
**EXTENDING THE TERM OF THE CENTRAL VISAYAS WATER AND SANITATION PROJECT-
PROJECT MANAGEMENT UNIT**

WHEREAS, Executive Order No. 108 created the Central Visayas Water and Sanitation Project-Project Management Unit (CVWSP-PMU) as the coordinating arm of the Central Visayas Regional Development Council in the implementation of the Australian Agency for International Development (AusAID)-assisted Central Visayas Water and Sanitation Project;

WHEREAS, the CVWSP-PMU shall operate from the date of effectivity of the Executive Order No. July 12, 1993 to the project completion date of April 30, 1996 as prescribed in the Memorandum of Understanding signed between the respective governments of the Republic of the Philippines and Australia relative to the CVWSP;

WHEREAS, a one year extension is required to complete all projects under the CVWSP;

WHEREAS, the Government of Australia has agreed to extend its funding support to CVWSP to April 30, 1997;

WHEREAS, the Central Visayas Regional Development Council has also approved the proposal to extend for one year, including a six month winding-up period, the CVWSP-PMU until the completion of ongoing projects;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The term of the Central Visayas Water and Sanitation Project-Project Management Unit (CVWSP-PMU) is hereby extended to December 31, 1997 to allow the completion of projects under CVWSP.

SEC. 2. Subject to such coordinative, directorial, management and budgetary guidelines/issuances as may be promulgated by the Central Visayas Regional Development Council, the CVWSP-PMU and its Project Governing Committee shall continue to operate and perform its mandated tasks, functions and responsibilities in accordance with applicable provisions of Executive Order No. 108.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 328

MODIFYING THE NOMENCLATURE AND THE RATE OF IMPORT DUTY ON IMPORTED
WHEAT FOR FOOD UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, importation of wheat for food is not subject to quantitative restrictions;

WHEREAS, Executive Order No. 313 increased the rate of duty on said commodity to 50%;

WHEREAS, it is necessary to revert the tariff rate thereon to its previous level;

WHEREAS, Sec. 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President to increase, reduce, or remove existing protective rates of import duty, including any necessary changes in classification, as well as to modify the form of duty upon the recommendation of the National Economic Development Authority;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The rates of import duty under heading no. 1001.90 90 of the Harmonized System (HS) Tariff and Customs Code of the Philippines are amended to read as follows:

HDG. NO.	HARMONIZED SYSTEM CODE	DESCRIPTION	RATE OF DUTY					
			April 1996	1996	1997	July 1 1998	1999	2000
10.01		Wheat and meslin						
1001.10 00	—	x x x						
1001.90	—	Other:						
1001.90 10	—	— Wheat used as feed	50	50	40	40	35	35
1001.90 90	—	— Other	10	10	10	10	10	10

SEC. 2. Upon the effectivity of this Executive Order, the abovementioned articles which are entered into or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SEC. 3. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 23rd day of April, in the Year of our Lord, Nineteen Hundred Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 329

DESIGNATING THE NATIONAL COUNCIL OF WOMEN OF THE PHILIPPINES (NCWP) AS ONE OF THE LEAD MONITORING ARM OF NON-GOVERNMENTAL ORGANIZATIONS (NGOs) FOR THE EFFECTIVE IMPLEMENTATION OF THE GLOBAL PLATFORM FOR ACTION AND THE PHILIPPINE PLAN FOR GENDER-RESPONSIVE DEVELOPMENT IN THE NGO AND PRIVATE SECTOR

WHEREAS, Section 23, Article II of the Constitution provides that the state shall encourage non-governmental, community-based or sectoral organizations that promote the welfare of the nation;

WHEREAS, the government is committed to women's advancement and to gender equality in all aspects and at all levels, as enshrined in the Philippine Plan for Gender-responsive Development (PPGD) and in conjunction with the Global Platform for Action of the Beijing UN Conference on Women;

WHEREAS, the executive branch, through the National Commission on the Role of Filipino Women (NCRFW), spearheaded the formulation of the national agenda for the protection of women's rights, improvement of their social and economic conditions, promotion of their participation in political decision making and the coordination and monitoring of the implementation of the government's policy on gender and development that are primarily undertaken by the Focal Points;

WHEREAS, to realize these commitments, the NCRFW and the Women Focal Points in the different governmental departments and bureaus have been mandated to implement the policy of mainstreaming gender and development agenda through various policy actions and executive programs;

WHEREAS, the government recognizes the vital roles that women non-governmental organizations (NGOs) play in achieving complementation of commitments for higher impact to women nationwide and across sectors and affirms its partnership with NGOs in ensuring that the national agenda for women's advancement is implemented and accomplished;

WHEREAS, the National Council of Women of the Philippines (NCWP), now in its 50th year in operation as an umbrella women's organization of 151 national networks and 3,081 councils, continues to play its role as a constant and dynamic NGO partner of the government in the forefront of national development programs for women's empowerment;

WHEREAS, the NCWP, since its founding by Francisca Tirona-Benitez, has been implementing gender-focused policy action agenda and programs/projects in its crusade to raise the status of Filipino women, protect their rights and welfare and enhance their roles and capacities as vital change agents in nation-building and development;

WHEREAS, the NCWP, with the continuing professional and technical assistance of the Philippine Women's University – Development Institute for Women in Asia-Pacific (PWU-DIWA), is further committed to promote leadership education of women for nation-building and foster increased awareness and participation among women in achieving the goals of the Philippine Centennial Celebration;

WHEREAS, the NCWP has recently crafted a blueprint of action agenda on 31 issue-based areas of concern in order to complement the effective implementation of the Global Platform for Action on Women and the Philippine Plan for a Gender-responsive Development among the NGOs at the national and local levels, in close collaboration with the NCRFW and the Focal Points in government, as well as other major non-governmental women's networks and the private sector;

WHEREAS, a corresponding non-governmental mechanism and system-wide structures are necessary to coordinate, mobilize, and monitor the wide participation among women organizations, educational institutions and the private sector in implementing gender education and development.

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The affirmation of partnership among the NCRFW/Women's Focal Points and other women's networks with the National Council of Women of the Philippines (NCWP) as one of the lead implementing and monitoring arm of NGOs for non-governmental gender and development processes and initiative nationwide, is hereby approved.

SEC. 2. The NCWP shall be one of the lead NGO in mobilizing wider participation among interested women's networks and organizations, consolidating and promoting the issues of women in the country, working in partnership with the government in the implementation of the Beijing Platform for Action and the Philippine Plan for Gender-Responsive Development nationwide, and subsequently in monitoring their effective implementation at all levels and across sectors. The NCWP shall be assisted by the PWU-DIWA as secretariat and technical arm in providing professional services, training and continuing education for women and work in partnership with concerned women's networks and organizations, such as the Congressional Spouses Foundation, Incorporated and the Philippine Centennial Commission-Women Sector.

SEC. 3. In line with the framework and objectives set for achieving the foregoing development agenda, there shall be a monitoring system established using gender-sensitive indicators and guidelines to be defined in consultation with NCRFW and other interested and concerned women's networks and organizations.

SEC. 4. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 7th day of May, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 330

**ADOPTING THE EXPANDED TERTIARY EDUCATION EQUIVALENCY AND
ACCREDITATION PROGRAM AS AN INTEGRAL PART OF THE EDUCATIONAL SYSTEM
AND DESIGNATING THE COMMISSION ON HIGHER EDUCATION AS THE AUTHORITY
RESPONSIBLE FOR ITS IMPLEMENTATION**

WHEREAS, Section 1, Article XIV of the 1987 Constitution provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all;

WHEREAS, Section 2, Article XIV of the 1987 Constitution provides that the State shall establish, maintain, and support a complete, adequate and integrated system of education relevant to the needs of the people and society and, that the State shall encourage non-formal, informal and indigenous learning systems, as well as self-learning, independent and out-of-school study programs particularly those that respond to community needs;

WHEREAS, the emerging medium-term and long-term Philippine development plans have both envisioned the expansion and strengthening of the system of academic equivalency and validation of the knowledge and expertise derived by individuals from relevant work experiences and high-level, non-formal training in order to harness their full potentials;

WHEREAS, there is a need to provide individuals with proven competence, access to opportunities that will prepare them for higher value jobs required for achieving global competitiveness, advancing strategic concerns of the State and promoting sustainable development; and

WHEREAS, it is recognized that education and the acquisition of higher expertise are processes that also take place in the world of work and beyond the confines of the classroom as exemplified by the Philippine Educational Placement Test (PEPT) of the Accreditation and Equivalency Program, the distance education programs of pioneering higher education institutions (HEIs), and the Dual Training System institutionalized through Republic Act 7686.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. The Commission on Higher Education (CHED) to expand and strengthen the tertiary education equivalency and accreditation program to benefit deserving individuals.

SEC. 2. The CHED shall discharge the following additional powers and functions in relation to the Expanded Tertiary Education Equivalency and Accreditation Program:

- a) certify, after thorough evaluation, the pertinent work experiences and knowledge or expertise acquired by individuals from high-level, non-formal and informal training toward the awarding of an appropriate academic degree;

- b) determine the deficiencies of an applicant/awardee that would need remedial studies or academic supplementation through formal course work in order to satisfy pertinent requirements of a degree applied for;
- c) develop, on a continuing basis and with the assistance of technical panels and other competent authorities, standards, creative methodologies and criteria for a diversified mode of assessing skills, values, knowledge and levels of competence which should include, but not be limited to, instruments such as written examinations, practical work and/or laboratory demonstrations and qualification portfolio assessments;
- d) deputize and/or accredit agencies, organizations and higher education institutions which will conduct equivalency assessments, develop assessment instruments, provide academic supplementation and/or award degrees within their area of competence or specialization;
- e) safeguard the continuing integrity and quality measures of the Expanded Tertiary Education Equivalency and Accreditation Program by linking and cooperating with appropriate development and regulatory agencies and institutions;
- f) update the Social Development Committee of the National Economic and Development Authority (NEDA) Board on the implementation of the program for policy coordination and monitoring purposes; and
- g) set standard fees and other administrative charges for accreditation that will contribute to and be part of the Special Account of the Expanded Tertiary Education Equivalency and Accreditation Program under the Higher Education Development Fund (HEDF).

SEC. 3. The CHED, pursuant to Section 2 of this Executive Order, may convene as the need arises, a consultative or advisory body for the purpose of providing broad-based inter-agency consultation, to be composed of:

Chairman of the CHED	Chair
Director-General of the Technical Education and Skills Development Authority (TESDA)	Vice Chair
Undersecretary for Programs of the Department of Education, Culture and Sports (DECS)	Member
Undersecretary of the Department of Science and Technology (DOST)	Member
Chairman of the Professional Regulation Commission (PRC)	Member
Chairman of the National Youth Commission	Member
Representative of private higher education institutions to be designated by the Coordinating Council of Private Educational Associations (COCOPEA)	Member
Representative of the state universities and colleges to be designated by the Philippine Association of State Universities and Colleges (PASUC)	Member
Representative of the business sector to be designated by the Philippine Chamber of Commerce and Industry (PCCI)	Member

SEC. 4. The TESDA, DECS, DOST, PRC, Department of Labor and Employment (DOLE), and the Department of Trade and Industry (DTI) shall extend to the CHED the necessary assistance and technical support in the operationalization of the framework of continuing education and the system of accreditation and equivalency.

SEC. 5. To ensure the effective implementation of the Expanded Tertiary Education Equivalency and Accreditation Program, the CHED shall organize a permanent Technical Secretariat composed of highly competent individuals with recognized expertise in alternative learning systems and educational assessment. The Technical Secretariat shall provide technical support to and shall be provided by and be lodged within the CHED. In addition, the CHED may contract the services of external technical experts and authorities on equivalency and educational measurement.

SEC. 6. The funding requirements for the initial year of operation of the Expanded Tertiary Education Accreditation and Equivalency Program shall be sourced from the Higher Education Development Fund (HEDF) in an amount to be approved by the CHED and administered by the CHED, subject to the standard government accounting and auditing practices. The funding for the succeeding years shall be included in the regular appropriations and the CHED may tap the HEDF as a supplemental source of funding whenever necessary and required for the effective implementation of the Program.

The CHED shall create a Special Account in the HEDF exclusively for implementation of the Expanded Tertiary Education Accreditation and Equivalency Program.

SEC. 7. All executive issuances inconsistent with this Executive Order are hereby repealed or amended accordingly.

SEC. 8. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of May, in the year of Our Lord, Nineteen Hundred and Ninety Six.

Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 331
EXTENDING THE COORDINATIVE AND MANAGEMENT ROLE AND FUNCTION OF
THE SOUTH COTABATO/SARANGANI/GENERAL SANTOS CITY (SOCSARGEN) AREA
DEVELOPMENT PROJECT OFFICE

WHEREAS, the SOCSARGEN Area Development Project Office has demonstrated its effectiveness in integrating and accelerating the implementation of major development activities of the national government, and ensuring the participation of the local government units and private sector as mandated by Executive Order No. 474 dated 12 August 1991 and as amended by Executive Order No. 480 dated 16 September 1991;

WHEREAS, the experience and success of the SOCSARGEN Area Development Project Board in integrating infrastructure development with private sector-led growth and sustainable use of environment and natural resources, and in actively promoting intra-regional economic ties in the BIMP-EAGA Region have made the SOCSARGEN Area Development Project a front-runner and model for the Mindanao 2000 Agenda;

WHEREAS, there is a need to sustain these initiatives and to champion growth with equity by expanding the scope of the SOCSARGEN Area Development Project to include programs and policies that address the basic social needs of marginalized sectors in support of the national social reform and food security agenda and all other local and national projects that require integration and coordination at the sub-regional level;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The provision on the establishment of the South Cotabato/Sarangani/General Santos City – Area Development Project Office in Section 1 of Executive Order No. 474 series of 1991, is hereby amended to read as follows:

SEC. 1. SOSKSARGEN Area Development Project Office. There is hereby established the South Cotabato/Sultan Kudarat/Sarangani/General Santos City – Area Development Project Office, hereinafter referred to as the ADP Office as a Special Project under the Department of Agriculture for integrating, coordinating, supervising, directing and formulating policies and guidelines for the implementation of major project undertakings in SOSKSARGEN. The ADP Office shall be composed of a Project Board and a Project Management Unit (PMU) which shall hold office in General Santos City.

SEC. 2. The composition of the Project Board under Section 2 of Executive Order No. 474 is hereby reconstituted as follows:

- | | |
|---|---------------|
| a. The Secretary of Agriculture | Chairman |
| b. The Regional Director
National Economic and Development Authority | Vice Chairman |
| c. The Provincial Governor of South Cotabato | Member |
| d. The Provincial Governor of Sarangani | Member |
| e. The Mayor of General Santos City | Member |
| f. The Provincial Governor of Sultan Kudarat | Member |
| g. Representatives from Government Agencies Involved in the Project
(DA, DTI, DILG, DOTC, DPWH, DENR, DOH, DECS) | Member |
| h. One representative each of the Non-Government Organizations
of South Cotabato, Sultan Kudarat, Sarangani Province and
General Santos City | Member |
| i. One representative each of the Chamber of Commerce or Business
Community of South Cotabato, Sultan Kudarat, Sarangani
Province and General Santos City | Member |

The powers and functions of the Board under Sec. 2 of Executive Order No. 474 are henceforth amended as follows:

- a. Formulate policies and guidelines and establish development goals within the context of the Area Growth Plan and the role of SOSKSARGEN in the Mindanao 2000 Development Plan, supportive of social reform policy, food, security agenda and other local and national thrusts;
- b. Advocate, supervise, facilitate, orchestrate and provide overall direction in the planning, timely implementation and monitoring of all project components and development activities;
- c. Pool existing resources and encourage the support and participation of government and non-government institutions by creating Task Forces, councils or appropriate bodies to expedite implementation of major development projects;
- d. Review and endorse to the Regional Development Council, Region XI, for approval the multi-year and annual plans and investment programs under the project;
- e. Review and endorse, through the RDC, to the Department of Budget and Management, the annual budget for the Project, including that for the operations of the ADP Office;
- f. Review and confirm the organization of the Project Management Unit (PMU) and the appointment of its Project Director;
- g. Review and confirm contracts entered into by the Project Director;
- h. Submit to the President, the RDC, the NEDA Board and Congress quarterly progress reports on the project and such other reports as may be required;
Formulate implementing rules and regulations pertaining to the internal operations of the ADP Office; *and*
- j. Perform such other functions as the President may direct.

(b) Project Management Unit. The provisions on the powers and functions of the PMU are hereby amended to read as follows:

Project Management Unit. The Project Management Unit (PMU) shall serve as technical and administrative secretariat of the Board, and as such, undertake the day-to-day activities of the ADP Office. It shall perform the following powers and functions:

- a. Provide technical support and assistance and coordinate with the City and Provincial Planning and Development Offices, regional offices of National Government Agencies, representatives of financing institutions, non-government organizations, the private sector and other concerned entities to facilitate the implementation of the major projects in SOSKSARGEN;
- b. Enter into contracts, through its Project Director, as may be necessary for the technical and administrative operations of the ADP Office subject to existing laws, rules and regulations;
- c. Undertake periodic review and evaluation of projects and shall, for the purpose, design and operate a program implementation and project benefit monitoring and evaluation system consistent with regional and national project monitoring and evaluation systems, and make appropriate recommendations to the ADP Board; *and*
- d. Ensure the implementation of agreements reached by the ADP Board and perform such other functions and responsibilities as the Board may direct.

SEC. 3. The provision on the ADP Office Term is hereby amended to read as follows:

SEC. 7. *ADP Office Term.* The term of the ADP Office is hereby extended to December 1998, corresponding to the full operationalization of the flagship infrastructure projects, and the implementation of the second round of infrastructure and growth plan projects and Mindanao 2000 related activities.

SEC. 4. Executive Order No. 474, series of 1991 and Executive Order No. 480, series of 1991 are hereby amended accordingly.

SEC. 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 15th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 332
INTEGRATING THE BARANGAY GOVERNMENTS INTO THE REVISED POSITION
CLASSIFICATION AND COMPENSATION SYSTEM IN THE GOVERNMENT

WHEREAS, Article IX-B, Section 5 of the Constitution mandates Congress to provide for the standardization of compensation of government officials and employees;

WHEREAS, RA 6758 was enacted in compliance with the constitutional mandate for standardization of compensation in the government;

WHEREAS, the unified Position Classification and Compensation System established under RA 6758 applies to all positions in the government whether appointive or elective, on full-time or part-time basis;

WHEREAS, local government units, defined under Art. X of the 1987 Constitution as the territorial and political subdivisions of the state refer to Provinces, Cities, Municipalities and Barangays;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct:

SECTION 1. *Compensation in the Barangay.* The Barangay as a political subdivision of the state shall henceforth be included in the unified position classification and compensation system of the government.

SEC. 2. *Compensation Adjustments.* Compensation adjustments authorized by Congress and/or the President for government personnel shall also apply to the barangay personnel subject to the rules, policies and guidelines to be issued on the matter.

SEC. 3. *Implementation.* The Department of Budget and Management as administrator of the unified Position Classification and Compensation System is hereby directed to issue rules and regulations relative to position classification and compensation of barangay personnel.

SEC. 4. *Funding Source.* The amount necessary to implement the position classification and compensation system in the barangay shall be taken from barangay funds, subject to the budgetary requirement and limitations as provided for by law.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 333

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 50% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE BRAND-TO-BRAND COMPLEMENTATION SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on ASEAN Industrial Complementation (BAAIC) signed in Manila on 16 June 1981;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding (MOU) on the Brand-to-Brand Complementation (BBC) Scheme in the Automotive Industry under the BAAIC signed by the ASEAN Economic Ministers in Pattaya, Thailand on 18 October 1988;

WHEREAS, the Philippines is a participating country in the approved BBC Scheme of Toyota Motor Corporation along with Malaysia and Thailand;

WHEREAS, at the 35th Meeting of the Committee on Industry, Minerals and Energy (COIME) held on 16-18 July 1992 in Manila, it was agreed that under the Toyota Motor Corporation BBC Scheme, the Philippines will import link assembly, steering gear and radiator from Malaysia and panel, dash lower from Thailand in exchange for Philippine exports of transmission assembly;

WHEREAS, at the Meeting of the ASEAN Senior Economic Officials (SEOM) held in Jakarta, Indonesia on 4 October 1993, a nomination submitted by Toyota Motor Corporation for the change in tariff classification of link assembly, steering gear, among others, for TUV motor vehicles for the transport of passengers and goods was considered and approved;

WHEREAS, at the SEOM held in Jakarta, Indonesia on 5-7 December 1994, it was agreed that under the Toyota Motor Corporation BBC Scheme, the Philippines will import transmission parts, cover luggage compartment trims and engine parts from Malaysia in exchange for Philippine exports of transmission assembly;

WHEREAS, under the MOU on the BBC Scheme in the Automotive Industry, the Philippines shall grant a minimum 50% Margin of Preference (MOP) to BBC products approved by the COIME/SEOM subject to the terms and conditions set out in Section 9(b) of said MOU;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 13 thereof. In effect, such articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated opposite each article as specified in Columns 14, 15, 16, 17, 18, 19 and 20 of Annex “A”.

SEC. 2. The MOP provided in Annex “A” on radiator and panel, dash lower for Corolla (Models EE 100, EE 101, AE 101) passenger cars under the Toyota Motor Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (UMW Toyota Motor Sdn. Bhd.) and in Thailand (Toyota Motor Thailand Co. Ltd.), respectively, effective from 15 October 1992 up to 14 October 1996. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia and Thailand shall then be extended up to 13 October 2000.

SEC. 3. The MOP provided in Annex “A” on link assembly, steering gear for TUV (Models KF40, KF50, CF50) motor vehicles for the transport of passengers and goods under the Toyota Motor Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (UMW Toyota Motor Sdn. Bhd.) effective 04 October 1993 up to 03 October 1997. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia shall then be extended up to 02 October 2001.

SEC. 4. The MOP provided in Annex “A” on transmission parts of Liteace (Models KM 36, CM36) commercial vehicles and TUV (Models KF40, KF50, CF50) motor vehicles for the transport of passengers and goods and on trim parts for Corolla (Models EE 100, EE 101, AE 101) passenger cars under the Toyota Motor Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (UMW Toyota Motor Sdn. Bhd.) effective 1 January 1995 up to 30 December 1998. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia shall then be extended up to 29 December 2002.

SEC. 5. The 50% MOP accorded under this Executive Order shall remain effective regardless of any subsequent changes in the basic Philippine rate of duty on the afore-mentioned articles.

SEC. 6. Upon the effectivity of this Executive Order, all the afore-mentioned articles entered or withdrawn from warehouses in the Philippines for consumption shall be subject to qualification under the Rules of Origin as prescribed in the Agreement on ASEAN Preferential Trading Arrangements, as amended, and shall pay the applicable BBC Preferential Tariff specified under Section 1 hereof.

SEC. 7. Any revision/s to the part numbers appearing in Column 4 of Annex “A” shall be communicated immediately to the Philippine Government by the ASEAN Secretariat. The Department of Trade and Industry shall endorse the same to the Bureau of Customs within five (5) days after receipt of the official copy of the revised part numbers for implementation.

SEC. 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and ninety-six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Articles Granted 50% MOP under the Approved Toyota Motor Corporation BBC Scheme

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 334

AMENDING EXECUTIVE ORDER NO. 79, SERIES OF 1993, ENTITLED “MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 50% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE BRAND-TO-BRAND COMPLEMENTATION SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION”.

WHEREAS, Executive Order No. 79 dated 2 April 1993 was issued to implement the minimum fifty per centum (50%) Margin of Preference (MOP) on certain products included in the Brand-to-Brand Complementation (BBC) Schemes of Mitsubishi Motor Corporation, Nissan Motor Co., Ltd. and Toyota Motor Corporation;

WHEREAS, after the issuance of aforementioned EO No. 79, a nomination for change in tariff classification of certain CKD component parts covered by said EO 79 was submitted by Toyota Motor Corporation to the ASEAN Secretariat on 24 September 1993 and was approved by the ASEAN Senior Economic Officials Meeting (SEOM) on 4 October 1993;

WHEREAS, requests for addition of new models and for amendments in part numbers of certain component parts covered by EO 79 were likewise submitted by Toyota Motor Corporation and were approved by the SEOM;

WHEREAS, it has become necessary to amend EO 79 to effect the technical modifications on said certain component parts under the Toyota BBC Scheme;

WHEREAS, it has become necessary as well to amend EO 79 to reflect the current nomenclature and rates of duty of certain component parts under the Mitsubishi, Nissan and Toyota BBC Schemes in accordance with EO 264, S. of 1995;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. Annexes “A”, “B” and “C” of Executive Order No. 79 dated 2 April 1993 are hereby amended and superseded by Annexes “A”, “B” and “C” hereof.

SEC. 2. Section 1 of Executive Order no. 79 dated 2 April 1993 is hereby amended to read as follows:

“**SECTION 1.** The articles specially listed in Annexes “A” and “B”, as amended, shall be accorded a minimum 50% Margin of Preference (MOP) as specified in Column 12 thereof. Accordingly, such articles shall be subject to BBC Preferential Tariff in accordance with the schedule indicated in Columns 13 to 18 of Annexes “A” and “B”, as amended. The articles specifically listed in Annex “C”, as amended, shall be accorded a minimum 50% MOP as specified in Column 13 thereof. Accordingly, such articles shall be subject to the

BBC Preferential Tariff in accordance with the schedule indicated in Columns 14 to 20 of Annex “C”, as amended.

SEC. 3. Section 4 of Executive Order No. 79 dated 2 April 1993 is hereby amended to read as follows:

“SECTION 4. The MOP provided in Annex “C” on steering link assembly, convenient and accessory equipment and suspension system for Corolla (Models EE 100, EE 101, AE 101) passengers cars and on fuel tank, suspension system, steering link assembly and electrical parts for Liteace (Models KM36, CM36) commercial vehicles and on electrical parts of TUV (Models KF40, KF50, CF50) motor vehicles for the transport of passengers and goods under the Toyota Motor Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (UMW Toyota Motor Sdn. Bhd.) effective up to 23 January 1995. The MOP also herein provided on under body and electrical parts for Corolla (Models EE 100, EE 101, AE 101) passenger cars and electrical parts for TUV (Models KF40, KF50, CF50) motor vehicles for the transport of passengers and goods under the said BBC Scheme shall be accorded exclusively to the BBC entity in Thailand (Toyota Motor Thailand Co., Ltd.) effective up to 23 January 1995. Thereafter, this MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated waiver period, the exclusive application of this MOP to Malaysia and Thailand shall then be extended up to 23 January 1999.”

SEC. 4. All decrees, orders, issuances, rules and regulations, or parts thereof which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 5. This Executive Order shall take effect immediately.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annexes A, B, and C

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 335

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 50% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE BRAND-TO-BRAND COMPLEMENTATION SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on ASEAN Industrial Complementation (BAAIC) signed in Manila on 16 June 1981;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding on the Brand-to-Brand Complementation (BBC) Scheme in the Automotive Industry under the BAAIC signed by the ASEAN Economic Ministers in Pattaya, Thailand on 18 October 1988;

WHEREAS, the Philippines is a participating country in the approved BBC Scheme of Nissan Motor Co., Ltd. along with Malaysia and Thailand and in the approved BBC Scheme of Asian Carmakers Corporation along with Malaysia;

WHEREAS, at the Meeting of the ASEAN Senior Economic Officials (SEOM) held in Jakarta, Indonesia on 8-10 December 1993, it was agreed that under the Nissan Motor Co., Ltd. BBC Scheme, the Philippines will import certain hoodledge parts from Malaysia and door and bumper trims, engine parts and body parts of metal from Thailand in exchange for Philippine exports of certain body parts of metal and injection parts to the said two countries;

WHEREAS, at the Meeting of the ASEAN Senior Economic Officials held in Jakarta, Indonesia on 2-4 August 1994, it was agreed that under the Asian Carmakers Corporation BBC Scheme, the Philippines will import sheet glass from Malaysia in exchange for Philippine exports of aluminum alloy wheels to Malaysia;

WHEREAS, under the Memorandum of Understanding on the BBC Scheme in the Automotive Industry, the Philippines shall grant a minimum 50% Margin of Preference (MOP) to BBC products approved by the SEOM subject to the terms and conditions set out in Section 9(b) of said Memorandum;

WHEREAS, under Section 9(b)(i) of the said Memorandum of Understanding, the 50% MOP for existing BBC products shall be granted within 90 days of approval of the BBC products by the SEOM, and for new BBC products, the grant shall be extended from the actual date of commercial production of the products, or upon expiry of 30 months from the date of approval of the products whichever comes earlier;

WHEREAS, under the Nissan BBC Scheme, hoodledge parts listed in Certificate of Eligibility No. N 5 A/93 have been existing at the time of approval by the SEOM held on 8-10 December 1993; whereas, the door and bumper trims, engine parts and body parts of metal listed in Certificate of Eligibility Nos. N I A/93 and N I /94 are new BBC products whose commercial production started in April 1994;

WHEREAS, under the Asian Carmakers BBC Scheme, the sheet glass items listed in Certificate of Eligibility No. 033 have been existing at the time of approval by the SEOM held on 2-4 August 1994;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 11 thereof. Accordingly, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated in Columns 12, 13, 14, 15 and 16 of said Annex “A”.

SEC. 2. The articles specifically listed in Annex “B” as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 9 thereof. Accordingly, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated in Columns 10, 11 and 12 of said Annex “B”.

SEC. 3. The MOP provided in Annex “A” on hoodledge parts for Nissan AD Resort (Model Y 10) pick-up under the Nissan Motor Co., Ltd. BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (Tan Chong & Sons Motor Co., Sdn. Bhd.) effective from 1 March 1994 up to 28 February 1998. The MOP also herein provided on door and bumper trims, engine parts and body parts for Nissan AD Resort (Model Y 10) pick-up under the said BBC Scheme shall be accorded exclusively to the BBC entity in Thailand (Siam Nissan Automobile Co., Ltd.) effective 1 April 1994 up to 30 March 1998. Thereafter, this MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia with respect to hoodledge parts shall then be extended up to 27 February 2002 and in the case of door and bumper trims, engine parts and body parts of metal, the exclusive application of the MOP to Thailand shall be extended up to 29 March 2002.

SEC. 4. The MOP provided in Annex “B” on sheet glass for BMW (3-series model) passenger car under the Asian Carmakers Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (Auto Bavaria Division Tractors Malaysia (1992) Sdn. Bhd.) effective from 1 November 1994 up to 30 October 1998. Thereafter, this MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia shall then be extended up to 29 October 2002.

SEC. 5. Effective 28 February 2002 with respect to hoodledge parts and effective 30 March 2002 in the case of door and bumper trims, engine parts and body parts of metal, the MOP shall be extended to any entity in another ASEAN member country which produces the above-mentioned Nissan BBC products as listed in Annex “A” hereof, whether that country is participating in the Nissan BBC Schemes or not. Effective 30 October 2002, the MOP shall be extended to any entity in another ASEAN member country which produces the Asian Carmakers BBC products listed in Annex “B” hereof, whether that country is participating in the Asian Carmakers BBC Scheme or not.

SEC. 6. The 50% MOP accorded under this Executive Order shall remain effective irrespective of any subsequent changes in the basic Philippine rate of duty on the above-mentioned articles.

SEC. 7. Upon the effectivity of this Executive Order, all the above-mentioned articles entered or withdrawn from warehouses in the Philippines for consumption shall be subject to qualification under

the Rules of Origin as prescribed in the Agreement on ASEAN Preferential Trading Arrangements, as amended, and shall pay the applicable BBC Preferential Tariff specified under Section 1 hereof.

SEC. 8. Any revision/s to the part numbers appearing in Column 4 of Annexes “A” and “B” shall be communicated immediately to the Philippine Government by the ASEAN Secretariat. The Department of Trade and Industry shall endorse the same to the Bureau of Customs within five (5) days after receipt of the official copy of the revised part numbers for implementation.

SEC. 9. This Executive Order shall take effect immediately.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annexes A and B

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 336

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE DECISION TAKEN BY THE ASEAN SENIOR ECONOMIC OFFICIALS' MEETING TO EXTEND A MINIMUM 50% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE BRAND-TO-BRAND COMPLEMENTATION SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on ASEAN Industrial Complementation (BAAIC) signed in Manila on 18 June 1981;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding (MOU) on the Brand-to-Brand Complementation (BBC) Scheme for the Automotive Industry under the BAAIC signed by the ASEAN Economics Ministers in Pattaya, Thailand on 18 October 1988;

WHEREAS, The Philippines, along with Malaysia and Thailand, is a participating country in the approved BBC Scheme of Nissan Motor Co., Ltd.;

WHEREAS, at the ASEAN Senior Economic Officials' Meeting (SEOM) held in Jakarta, Indonesia from 15-17 March 1995, it was agreed that under the Nissan BBC Scheme, the Philippines will import certain completely-knocked-down (CKD) component parts for the original equipment manufacture of Nissan Sentra (B 14) passenger cars and Nissan Resort (Y 10) pick-up from Malaysia and Thailand in exchange for Philippine exports of complementary component parts to the said two countries;

WHEREAS, in accordance with paragraph b(i) of Section 9 of the MOU on the BBC Scheme, participating countries shall grant a minimum fifty percentum (50%) Margin of Preference (MOP) to existing BBC products within 90 days of approval by SEOM;

WHEREAS, the component parts, specified in Certificates of Eligibility (COEs) Nos. N 1B/95 and N 103/95 issued in favor of Thailand (Siam Nissan Automobile Co. Ltd., and in Certificates of Eligibility Nos. N 017/95 and N 4B/95 issued in favor of Malaysia (Tan Chong & Sons Motor Co. Sdn. Bhd.), are existing products, i.e., already being manufactured at the time of approval by SEOM held from 15-17 March 1995;

WHEREAS, under paragraph b(ii) of Section 9 of the MOU, non-participating countries shall initially waive their rights under Chapter II, Article 8, paragraph 2, of the ASEAN Preferential Trading Arrangements (PTA) for the first four years from date of granting of MOP and shall thereafter enjoy the MOP granted by participating countries as soon as they extend the same MOP;

WHEREAS, under paragraphs b(ii) and b(iv) of Section 9 of the MOU, the waiver period shall be extended beyond the first four years for as long as the non-participating countries do not wish to grant the MOP up to a maximum waiver period of eight years. After the maximum eight-year waiver period, any entity in any member country, whether the member country is participating in the specific BBC Scheme or not, which produces the BBC product shall enjoy the same MOP in the participating countries for the BBC product;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 9 thereof. In effect, such articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated opposite each article as specified in Columns 10, 11 and 12 of Annex "A".

SEC. 2. The MOP provided in Annex "A" on body metal part (floor FR) and engine parts for Nissan Sentra (B 14) light passenger cars and on trim parts and body metal parts for Nissan AD Resort (Y 10) pick-ups shall be accorded exclusively to the BBC entity in Thailand (Siam Nissan Automobile Co., Ltd.) effective from 15 June 1995 up to 14 June 1999. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Thailand shall then be extended up to 13 June 2003.

SEC. 3. The MOP provided in Annex "A" on body metal parts and gear and linkage assembly power steering for Nissan Sentra (B 14) light passenger cars and on manual steering gear for Nissan AD Resort (Y 10) pick-ups shall be accorded exclusively to the BBC entity in Malaysia (Tan Chong & Sons Motor Co. Sdn. Bhd.) effective from 15 June 1995 up to 14 June 1999. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia shall then be extended up to 13 June 2003.

SEC. 4. Effective 14 June 2003, the MOP provided in Annex "A" shall be extended to any entity in another ASEAN member country which produces the subject BBC products, whether the country is participating in the BBC Scheme or not.

SEC. 5. The minimum fifty percentum (50%) MOP accorded under this Executive Order shall remain effective regardless of any subsequent changes in the basic Philippine rate of duty on the aforementioned articles.

SEC. 6. Upon the effectivity of this Executive Order, all the afore-mentioned articles entered or withdrawn from warehouses in the Philippines for consumption shall be subject to qualification under the Rules of Origin as prescribed in the Agreement on the ASEAN Preferential Trading Arrangements, as amended, and shall pay the applicable BBC Preferential Tariff specified under Section 1 hereof.

SEC. 7. Any revision/s to the part numbers appearing in Column 4 of Annex "A" shall be communicated to the Bureau of Customs by the Department of Trade and Industry within five (5) days after receipt of the official copy of the revised part numbers from the ASEAN Secretariat.

SEC. 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Annex A

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 337

TRANSFERRING THE NATIONAL TRAINING CENTER FOR TECHNICAL EDUCATION AND STAFF DEVELOPMENT (NTCTESD) AND ITS ADMINISTRATION FROM THE DEPARTMENT OF EDUCATION, CULTURE AND SPORTS (DECS) TO THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA)

WHEREAS, it is the declared policy of the state to vigorously pursue the development of middle-level manpower required for economic growth and global competitiveness through quality technical-vocational education and training programs;

WHEREAS, through a Memorandum of Understanding between the then Ministry of Education and Culture and the Asian Development Bank, the Technical and Vocational Education Project (TVEP) was instituted to upgrade the quality of technical and vocational education in the country;

WHEREAS, Executive Order No. 82, series of 1993, formally established the National Training Center for Technical Education and Staff Development (NTCTESD) which is located at the Marikina Institute of Science and Technology, with the DECS as the implementing authority;

WHEREAS, the said Executive Order stipulated that the Center's Governing Body shall be chaired by the DECS Secretary who shall likewise provide the Secretariat support;

WHEREAS, pursuant to RA 7796, otherwise known as the "TESDA Act of 1994", the DECS' responsibility of administering the technical-vocational education and training was absorbed by TESDA, thus rendering the transfer of the administration of the NTCTESD imperative;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Transfer of the Administration of the National Center. - The administration of the National Training Center for Technical Education and Staff Development is hereby transferred from the Department of Education, Culture and Sports to the Technical Education and Skills Development Authority. The Center shall continue to pursue the same objectives set forth in Executive Order No. 82 (S. of 1993).

SEC. 2. Facilities. - All training infrastructures, facilities and fixtures of the Center shall be relocated from its present location at the Marikina Institute of Science and Technology campus to the TESDA Compound at Taguig, Metro Manila and shall be integrated with the facilities of the National Institute for Technical Vocational Education and Training (NITVET). The Center staff shall, in the interim, continue to perform their functions under the guidance and direction of the Director of NITVET.

SEC. 3. Training Center Management. - The Center shall be managed by the Director of the NITVET which is mandated by law to develop programs and projects intended to build up institutional capabilities within the TVET sector.

SEC. 4. Funding. - The funds necessary for the implementation of this Order shall be charged against the funds allocated for the Center under the 1996 General Appropriations Act. Thereafter, such

funds as may be required for the continued operations of the Center shall be included in the General Appropriations Act under the TESDA budget.

SEC. 5. Repealing Clause. - The provisions of EO No. 82 s. of 1993 which are contrary or inconsistent herewith are hereby repealed, modified or amended accordingly.

SEC. 6. Effectivity. - This Order takes effect immediately.

DONE in the City of Manila, this 17th day of May, in the year of Our Lord Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 338
DIRECTING THE DEPOSIT OF CASH BALANCES TO THE NATIONAL TREASURY

WHEREAS, huge amounts of cash have built up under the “Cash-in-banks” account of various offices and agencies of the government as shown in their final trial balances as of the end of CY 1995;

WHEREAS, the National Government continues to borrow when there are huge cash immobilized in various accounts of agencies deposited in authorized government depository banks;

WHEREAS, Section 5 of the General Provisions of RA No. 8174, the CY 1996 General Appropriations Act (GAA), provides that “Receipts from non-tax sources authorized by law for specific purpose which are collected/received by a government office or agency acting as a trustee, agent or administrator, or which have been received as guaranty for the fulfillment of an obligation, and all other collections classified by law or regulations as trust receipts shall be treated as trust liability of the agency concerned and deposited with the National Treasury . . .”;

WHEREAS, the same provision further mandates that “All existing balances of trust receipts deposited with authorized government depository banks or any forthcoming trust receipt which are intended to be deposited with authorized government depository banks are hereby required to be deposited also with the National Treasury.”

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct:

SECTION 1. Coverage. This Order shall cover all offices and agencies of the National Government including State Universities and Colleges, Schools and Hospitals, Self-governing Boards and Commission and authorized government depository banks.

SEC. 2. General Guidelines. All government offices and agencies are hereby required to immediately transfer all public moneys deposited with depository banks and other institutions to the Bureau of the Treasury, regardless of income source.

SEC. 3. Disbursements. Disbursements shall be made by means of separate MDS check series subject to the issuance of a Notice of Cash Allocation (NCA) and in accordance with existing accounting and auditing rules and regulations.

SEC. 4. Maintenance of Accounts. The operating units of all offices and agencies are hereby allowed to maintain in authorized government depository banks only the current account for funding checks. National government offices and agencies are likewise allowed to maintain revolving fund deposits when expressly created and authorized by law.

SEC. 5. Implementing Guidelines. The Department of Budget and Management, the Department of Finance and the Commission on Audit shall jointly issue the necessary guidelines for the implementation of this Executive Order.

SEC. 6. Sanction. Failure to comply with the provisions of this Order shall subject the responsible official/s and employee/s to appropriate criminal and/or administrative action as the circumstances may warrant.

SEC. 7. *Repealing Clause.* All executive rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked and/or modified accordingly.

SEC. 8. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of May, in the year of our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 339

AMENDING EXECUTIVE ORDER NO. 167 DATED 25 MARCH 1994,
CREATING THE IWAHIG PENAL COLONY INTER-AGENCY STUDY COMMITTEE

WHEREAS, Executive Order (EO) No. 167 was issued on 24 March 1994 creating the Iwahig Penal Colony Inter-Agency Committee (IPC-IASC);

WHEREAS, said EO mandated the IPC-IASC to submit recommendations to the President, within one (1) year from its creation, comprehensive study and development plan for the area covered by the Iwahig Penal Colony to include its forest and lowland areas, inland waters and the coastal area;

WHEREAS, pursuant to the above mandate of the IPC-IASC, it has agreed to undertake three (3) sets of studies for the subject area namely: Land Use Plan, b) Master Plan, and c) Feasibility Study; and

WHEREAS, due to financial constraints and the need for more time to complete the Master Plan and the Feasibility Study there is need to extend the timeframe of submission of the IPC-IASC of said plan and study to the Office of the President.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Amendatory Clause. Section 3 (e) of EO No. 167 (s. 1994), is hereby amended to read as follows:

“**Section 3 (e).** Submit to the Office of the President on or before 30 June 1997 the final Master Plan and Feasibility Study for the Iwahig Penal Colony to include the timetable of implementation of different development projects identified in the Master Plan and the implementing agencies that will be involved”.

Section 2. Saving Clause. All provisions of EO No. 167, (s. 1994), not inconsistent herewith shall remain in effect.

Section 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 21st day of May, in the Year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) LUIS C. LIWANAG II
Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 340
DIRECTING NATIONAL GOVERNMENT AGENCIES AND GOVERNMENT-OWNED
AND -CONTROLLED CORPORATIONS TO PROVIDE DAY CARE SERVICES
FOR THEIR EMPLOYEES' CHILDREN UNDER FIVE YEARS OF AGE

WHEREAS, Section 12, Article II of the Constitution provides that the State recognizes the sanctity of the family as a basic autonomous social institution and shall support the natural and primary right and duty of parents in the rearing of the youth for civic efficiency and development of moral character;

WHEREAS, in July 1990, the Philippines ratified the Convention on the Rights of the Child, Article 18(2) and (3) of which provides that State Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities, ensure the development of institutions, facilities and services for the care of children and take appropriate measures to ensure that children of working parents have the right to benefit from the child care services and facilities for which they are eligible;

WHEREAS, Section 31, Chapter 5, Subtitle A, Title 1, Book V of Executive Order 292, otherwise known as the Administrative Code of 1987, requires that provisions for employees welfare be established in each government entity to be integrated into the agency's career and personnel development plan;

WHEREAS, the provision of child care services will not only be beneficial to the children and their mothers but also to government with the eventual improved performance and minimal absenteeism of employees due to problems related to child care.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order and direct the following:

SECTION 1. *Day Care Services and Their Coverage.* All National Government Agencies and Government-Owned and -Controlled Corporations shall provide day care services to children of their employees under five years of age. These services shall be provided either within their office facilities or in the areas accessible and/or acceptable to the parents. Such services shall accommodate children, aged 5 years and below, of employees with no competent household help.

SEC. 2. *Objectives of the Services.* To ensure that the employee's children shall enjoy the following opportunities and benefits:

1. Proper care and nutrition to become physically fit;
2. Development of social, mental, intellectual skills;
3. Spiritual, socio-cultural and nationalistic values as well as the development of strong positive attitudes towards God, the family, the environment and the society in general; *and*

4. Substitute parenting and protection from all forms of neglect, abuse and exploitation while the parent is at work.

SEC. 3. *Lead Agency.* In view of the agency's expertise in the establishment of day care service, the Department of Social Welfare and Development is hereby tasked to:

1. Formulate the implementing guidelines for this Executive Order;
2. Disseminate the guidelines to all government offices concerned within one (1) month from approval of this Order;
3. Provide technical assistance in collaboration with relevant government and non-government agencies through training, assessment and monitoring visits; *and*
4. License and accredit the services, facilities and day care workers.

SEC. 4. *Source of Funding.* National Government Agencies and Government-Owned and -Controlled Corporations (GOCCs) shall charge their expenses for the provision and maintenance of day care centers, including manpower requirements and materials, to the Gender and Development (GAD) funds from their Employees' Suggestions and Incentives Awards System (ESIAS) funds for human resource development. These offices may mobilize the resources of non-government, private and international agencies in the development of materials, improvement of facilities and enrichment of the curriculum in coordination with the Department of Social Welfare and Development.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 341
CREATING THE PRESIDENTIAL FACT-FINDING COMMISSION ON GOVERNMENT
INFORMATION TECHNOLOGY PROJECTS

WHEREAS, the investigation of the TOPWEB (The Office of the President Web) controversy has been concluded with the submission of the Investigation Committee's final report;

WHEREAS, notwithstanding the conclusion of the TOPWEB investigation, the information technology (IT) industry has been clamoring for a wider and deeper probe into the integrity of other government IT projects;

WHEREAS, there has arisen a clear need not only to respond to such clamor but also to conduct a survey of the government IT landscape with a view to the formulation of policies and guidelines that will govern future projects;

WHEREAS, the government has become the country's biggest customer of computer systems, supplies and services.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The Presidential Commission. – There is hereby created a Presidential Fact Finding Commission on Government Information Technology Projects, hereinafter referred to as the Commission. The Commission shall immediately begin its work after its constitution and shall accomplish its objectives within three (3) months, after which, unless extended by the President, it shall be dissolved.

Section 2. Composition. – The Commission whose members shall be appointed by the President shall be composed of a Chairman and four (4) members two of whom shall come from the IT private sector.

Section 3. Functions. – The Commission shall have the following objectives:

- 3.1. Review and, if necessary, investigate the bidding rules, procedures, conduct and other circumstances of large-scale government IT projects; "large-scale" for this purpose refers to projects costing at least One Million Pesos (P1,000,000) and shall cover, but not be limited to, those of the Department of Foreign Affairs (DFA), National Police Commission (NAPOLCOM), Bangko Sentral ng Pilipinas (BSP), Land Transportation Office (LTO), Government Service Insurance System (GSIS) and the Technical Education and Skills Development Authority (TESDA);
- 3.2. Determine if any irregularities have been committed in any of these and identify instances calling for the filing of administrative, civil and criminal charges against government personnel and private individuals, as the case may be;
- 3.3. Formulate policies and guidelines to cover future government IT projects;
- 3.4. Draw up recommendations, including proposed legislation if necessary, for the improvement of existing regulations governing public IT projects, and
- 3.5. Submit monthly periodic reports and one final comprehensive report to the President.

Section 4. Powers and Functions. – The Commission, in the attainment of its objectives and in the discharge of its functions, is hereby empowered to:

- 4.1. Call on any department, instrumentality or agency of the government for assistance and cooperation;
- 4.2. In accordance with existing laws, regulations and procedures, issue compulsory processes to private individuals, groups or organizations as well as government officials;
- 4.3. Through appropriate diplomatic channels and with due regard to diplomatic considerations, request for the cooperation of foreign governments; and
- 4.4. Promulgate its internal rules and procedures to govern its mandate.

Section 5. Secretariat. – The Commission shall be assisted by a Secretariat which shall provide administrative and office support to the Commission to be composed of persons appointed by the Chairman.

Section 6. Technical Panel. – There is hereby constituted a Technical Panel composed of recognized and responsible experts to be appointed by the Chairman in the fields of information technology, finance, law and other relevant fields to provide technical assistance and advice to the Commission. The Commission may also seek the full- or part-time detail of government personnel to it.

Section 7. Office. – In coordination with agencies of the Philippine Government, including government-owned or controlled corporations, the Commission shall be provided with appropriate and adequate office space.

Section 8. Funding. – The expenses of the Commission, including the honoraria of its members and personnel, shall be charged to the President's Contingent Fund. An initial funding of Five Hundred Thousand Pesos (P500,000) is hereby released therefrom.

Section 9. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of June, in the year of Our Lord, nineteen hundred and ninety-six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 342

**PROVIDING FOR THE CREATION OF THE GOLF COURSE CONSTRUCTION
AND DEVELOPMENT COMMITTEE IN CONNECTION WITH THE ISSUANCE
OF ENVIRONMENTAL COMPLIANCE CERTIFICATE FOR THE CONSTRUCTION
DEVELOPMENT AND OPERATION OF GOLF COURSES**

WHEREAS, the popularity of golf as a sport and tourist attraction has created a big demand for the construction and development of lands into golf courses and the necessary support facilities;

WHEREAS, the said construction, development, and operation of golf courses may result in disturbance of the environment and the ecology, in utilization of vast amounts of water and other scarce natural resources, withdrawal of lands from agricultural production, application of harmful chemicals and substances, and disposal of waste products into the environment;

WHEREAS, there is an urgent necessity for the adoption and implementation of uniform and comprehensive measures to address the foregoing concerns, and to solve them within the framework of national development goals;

WHEREAS, the said measures, to be comprehensive and to be effectively implemented, will require the participation of all the involved agencies of the government and of the private sector particularly the Republic of the Philippines Golf Association.

NOW, THEREFORE, I, Fidel V. Ramos, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. No Environmental Compliance Certificate (ECC) shall be issued by the Department of Environment and Natural Resources for the construction, development and operation of golf courses unless favorably recommended by the Golf Course Construction and Development Committee (Committee).

2. The Committee is hereby created composed of the following:

- a. Department of Environment and Natural Resources, as the lead agency
- b. Republic of the Philippines Golf Association, as the co-lead agency
- c. Department of Public Works and Highways
- d. Department of Tourism
- e. National Economic and Development Authority
- f. Department of Agriculture
- g. A non-government organization organized for the protection of the environment and/or conservation of natural resources to be jointly chosen by the Department of Environment and Natural Resources and the Republic of the Philippines Golf Association, and the
- h. Office of the Chief Presidential Legal Counsel.

3. The Committee shall have the following powers and functions:
 - a. To adopt and promulgate standards for the construction, development, and operation of golf courses taking into consideration, among others, the protection of the environment, the conservation of natural resources, and optimum land utilization.
 - b. To assist in the evaluation of all applications for the issuance of the ECC on the basis of the duly promulgated standards.
 - c. To monitor compliance with all the terms and conditions of the ECC.
 - d. To recommend the suspension or revocation of the ECC of a golf course found not complying with the terms and conditions thereof.
4. This Order shall take effect immediately after publication in a newspaper of general circulation in the Philippines.

DONE in the City of Manila, this 6th day of June, in the year of our Lord nineteen hundred and ninety-six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 343
ADOPTING THE “PANUNUMPA NG KATAPATAN SA WATAWAT”
AS THE OFFICIAL PLEDGE OF ALLEGIANCE FOR ALL FILIPINOS

WHEREAS, we, as a nation, will commemorate the centennial of the proclamation of Philippine Independence on 12 June 1998 which celebration becomes more meaningful to the citizenry if their sense of history and nationhood is properly evoked;

WHEREAS, the “Panunumpa ng Katapatan sa Watawat” finalized by the National Commission for Culture and the Arts from a draft prepared by the Commission on the Filipino Language is a soul stirring pledge that we can all truly ours, evincing as it does, a sense of nationhood and the values that every freedom-loving and nationalistic Filipino ought to possess;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by the powers vested in me by law, do hereby adopt and institutionalize the “Panunumpa ng Katapatan sa Watawat” as the official oath of allegiance for all Filipinos. I hereby direct each and every citizen to learn the “Panunumpa ng Katapatan sa “Watawat”, reflect upon its words and take to heart the dedication to nationhood that the pledge contains:

Ako ay Pilipino
Buong katapatang nanunumpa
Sa watawat ng Pilipinas
At sa bansang kanyang sinasagisag
Na may dangal, katarungan at kalayaan
Na pinakikilos ng sambayanang
Maka-Diyos,
Makakalikasan
Maka-tao, at
Makabansa.

This Executive Order takes effect immediately.

DONE in the City of Manila, this 12th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 344
TRANSFERRING THE SACOBIA DEVELOPMENT AUTHORITY AND THE JURISDICTION
OVER SACOBIA TO THE CLARK DEVELOPMENT CORPORATION

WHEREAS, Republic Act No. 7227, otherwise known as the Bases Conversion and Development Act of 1992, created the Bases Conversion and Development Authority (BCDA) to accelerate the sound and balanced conversion of the Clark and Subic Military reservations and their extensions into alternative productive uses and promote the economic and social development of Central Luzon in particular and the country in general;

WHEREAS, Section 15 of Republic Act No. 7227, authorized the President of the Republic of the Philippines to create a Special Economic Zone covering the lands occupied by the Clark Military reservations and its contiguous extensions as embraced, covered and defined in the 1947 Military Bases Agreement between the Philippines and the United States of America, as amended;

WHEREAS, pursuant to Section 15 of Republic Act No. 7227, the President issued Presidential Proclamation No. 163, s. of 1993, which created the Clark Special Economic Zone (CSEZ) and defined its extent;

WHEREAS, Executive Order No. 80, s. of 1993, created the Clark Development Corporation (CDC) to be the implementing and operating arm of the BCDA to manage the CSEZ;

WHEREAS, part of the former Clark Air Base Military Reservation, which reverted to the Philippine Government in 1979, is a vast land comprising approximately of five thousand seven hundred twenty four (5,724) hectares covering the municipalities of Bamban, Tarlac and Mabalacat, Pampanga, more commonly known as Sacobia;

WHEREAS, Executive Order No. 586, s. of 1980, created the Sacobia Development Authority (SDA) to develop the area as an agricultural base and provide livelihood opportunities to its squatter family beneficiaries through integrated and rationalized delivery of basic services and facilities;

WHEREAS, Administrative Order Nos. 9 and 10, s. of 1987, created the Office for Development Management and transferred the SDA to the Office for Development Management;

WHEREAS, Executive Order No. 130, s. of 1987, reorganized the Presidential Management Staff (PMS) and placed the SDA under the direct control and supervision of the PMS;

WHEREAS, Executive Order No. 292, which reorganized and redefined functions of key departments of the government provided for the inclusion of the SDA as an attached unit of the Department of Agriculture;

WHEREAS, the President of the Republic of the Philippines, through Proclamation No. 805, s. of 1996, included the property being managed by the SDA under the jurisdiction of the CSEZ;

WHEREAS, to optimize the development of Sacobia and to promote efficiency and effectiveness in the planning, execution and implementation of programs for Sacobia, it is essential that the CDC be vested with the powers and functions to manage Sacobia;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Transferring the powers and functions of the Sacobia Development Authority (SDA) to the Clark Development Corporation (CDC).* The powers and functions of the SDA shall henceforth be exercised by the CDC. The SDA shall cease to exist as a separate government agency attached to the Department of Agriculture and shall instead be absorbed by the CDC as an integral part of its corporate structure.

SEC. 2. *Declaration of Policy.* The CDC shall henceforth be tasked to plan, manage, execute policies and projects for Sacobia consistent with the development thrusts for the CSEZ. In particular, Sacobia shall be developed as a food basin and an eco-tourism area for the Zone. Business enterprises in Sacobia shall enjoy similar incentives enjoyed by other investors in the CSEZ.

SEC. 3. *Contracts, Agreements, Obligations.* All existing programs, projects, contracts, agreements and other commitments entered into or incurred by the SDA shall continue to be in force.

SEC. 4. *Properties and Other Assets.* The SDA shall transfer to the BCDA all its assets, including but not limited to lands, buildings and other infrastructure, equipment, facilities, furniture, and all their relevant records for the use and administration of the CDC as the implementing arm of the BCDA. An inventory of the SDA properties shall be undertaken to establish present accountabilities over them.

SEC. 5. *Transfer of Personnel.* The CDC shall absorb, as part of the regular staff of the CDC, all permanent employees of the SDA who shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits they are presently enjoying until the CDC shall have come up with the new structure, organizational function and staffing pattern within sixty (60) days from the signing of this Executive Order. Regular SDA employees who opt not to be absorbed by the CDC shall be deemed separated from the service and shall be entitled to all the benefits provided for under existing Civil Service laws, rules and regulations and shall be paid their benefit entitlements within 60 days from submission of required documents.

SEC. 6. *Funding.* To ensure continuity of programs and development efforts for Sacobia, the 1996 funds allocated for the SDA from the General Appropriations Act and other sources shall be transferred to the BCDA. The BCDA through its implementing arm, the CDC, shall infuse such funds as are necessary for the immediate implementation of the programs and projects of the SDA as identified under the 1996 General Appropriations Act.

SEC. 7. *Settlement and Re-settlement of Sacobia Communities.* Subject to existing legal rights and valid ancestral domain claims within the Sacobia area, as verified and validated by the Department of Environment and Natural Resources, communities and permanent residents of Sacobia may be transferred and resettled by the CDC, at the expense of the BCDA, to give way to development projects in the area.

SEC. 8. *Quarterly Report.* A quarterly report on the status of the implementation of this Executive Order shall be submitted jointly by the BCDA and the CDC to the President through the Office of the Executive Secretary.

SEC. 9. *Repealing Clause.* All presidential issuances, rules and regulations or parts thereof which are inconsistent with any provision of this Order are hereby repealed, amended, or modified accordingly.

SEC. 10. *Separability Clause.* If for any reason, any part or provision of this Executive Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 11. *Effectivity* This Executive Order shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation.

DONE in the City of Manila, this 14th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 345
TRANSFERRING THE BOARD OF LIQUIDATORS (BOL) FROM THE NATIONAL
DEVELOPMENT COMPANY (NDC) TO THE ASSET PRIVATIZATION TRUST (APT)
TO EFFECT ITS ABOLITION

WHEREAS, the government is committed to pursue the policy of the State to promote privatization through an orderly, coordinated and efficient program for the prompt disposition of the large number of non-performing assets and certain government-owned and/or -controlled corporations which have been found unnecessary or inappropriate for the government sector to maintain, as embodied in Proclamation No. 50, s. of 1986, as much as it is committed to streamline the bureaucracy by adopting a homogeneous grouping of functionally-related government agencies;

WHEREAS, Executive Order No. 149, s. of 1993, transferred the Board of Liquidators (BOL) to the National Development Company (NDC) for policy and program coordination/integration and/or administrative supervision prior to its eventual abolition;

WHEREAS, in the course of the BOL's attachment to the NDC, it had been observed that the thrust, functions, and activities of the BOL are not aligned with the thrust, functions and activities of the NDC;

WHEREAS, the BOL and the APT share the same objective of hastening the liquidation of the agencies/government corporations under it with the APT having been accorded the widest latitude of flexibility and autonomy in its operations pursuant to Proclamation No. 50;

WHEREAS, there is an immediate need to transfer the BOL from the NDC to the APT to effect the mainstreaming of the current programs and projects of the BOL prior to its abolition;

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292, otherwise known as the Administrative Code of 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. DISPOSITIVE ACTION. - The BOL is hereby transferred from the NDC to the APT. The APT shall prepare and effect the eventual abolition of the BOL.

SEC. 2. SCOPE OF TRANSFER. - The transfer shall include the BOL's functions, records, equipment, facilities, assets and liabilities, and personnel.

SEC. 3. MODE OF TRANSFER. - The APT shall immediately prepare and subsequently implement a Function Rationalization and Integration Plan (FRIP) to complete the abolition of the BOL, as previously contemplated under Executive Order No. 149.

SEC. 4. REPEALING CLAUSE. - All executive orders, rules and regulations and other issuances or parts thereof that are inconsistent with the provisions of this Executive Order are hereby deemed revoked or modified accordingly.

SEC. 5. EFFECTIVITY. - This executive order shall take effect fifteen (15) days after its publication in at least one newspaper of general circulation.

DONE in the City of Manila, this 14th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By authority of the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 346
AMENDING EXECUTIVE ORDERS NO. 728 AND 938, REDEFINING THE ORGANIZATIONAL
STRUCTURE, FUNCTIONAL THRUSTS AND PROVIDING FOR THE OPERATIONAL
GUIDELINES OF THE COMMISSION ON FILIPINOS OVERSEAS

WHEREAS, it is a declared policy of the State to promote the well-being and uphold the interests of Filipinos overseas;

WHEREAS, the Commission on Filipinos Overseas was created by virtue of Batas Pambansa Blg. 79 on 16 June 1980 to render effectively this policy of the State;

WHEREAS, Executive Order No. 728 provided for the organizational structure and guidelines of the Secretariat of the Commission, while Executive Order No. 938 authorized the establishment of its overseas offices;

WHEREAS, the promulgation of economic diplomacy as a major development strategy of the government under Administrative Order No. 91, is also aimed at harnessing the fullest potentials of overseas Filipinos as partners in the development efforts of the country;

WHEREAS, the Commission was directed to provide secretariat support to the Assistance-to-Nationals Task Force pursuant to Administrative Order No. 182;

WHEREAS, the Commission was designated to provide technical and secretariat support to the reconstituted Exchange Visitors Program Committee pursuant to Administrative Order No. 242;

WHEREAS, Section 20 of Republic Act No. 8042 provides for the establishment of a shared government information system on migration to allow data exchange among relevant agencies of government including the Commission on Filipinos Overseas;

WHEREAS, the unprecedented and phenomenal growth in the number of overseas Filipinos, present and future requirements of the country, and efforts currently undertaken by government to address the attendant issues and problems, call for a reconstitution as well as a reformulation of the mandate and organizational structure of the Commission on Filipinos Overseas.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. *Composition of the Commission.* The Commission shall be composed of the Secretary of Foreign Affairs as Chairman, the Secretary of Trade and Industry as Vice Chairman, the Secretary of Labor and Employment, the Secretary of Tourism, the Secretary of Education, Culture and Sports, the Secretary of Justice and the Press Secretary, all of whom are ex-officio members, and the Executive Director of the Commission.

The Commission shall formulate general policies on matters affecting overseas Filipinos and provide functional direction for its programs and operations.

SEC. 2. *Offices of the Secretariat.* Executive responsibility shall be vested in the Secretariat which will carry out the programs, projects and services to address the needs and interests of overseas Filipinos as well as support the economic diplomacy efforts of the government.

The Secretariat shall be headed by an Executive Director who shall be assisted by a Deputy Executive Director, both of whom shall be appointed by the President. The Executive Director shall have the rank of a Department Undersecretary, while the Deputy Executive Director shall have the rank of an Assistant Secretary. To achieve effectiveness and efficiency in the delivery of services, the offices of the Secretariat are hereby reorganized as follows:

- a. *Projects Management Office* - The External Services and Projects Office of the Secretariat shall henceforth be reorganized into the Projects Management Office. The Projects Management Office shall be responsible for the promotion and implementation of programs and projects for Filipinos overseas. It shall propose and develop strategies and mechanisms to optimize program promotion and implementation.
This office shall establish the necessary programs to promote and support the economic diplomacy efforts of the government among overseas communities.
- b. *Migrant Integration and Education Office*. - The Local Services Office shall henceforth be reorganized into the Migrant Integration and Education Office. The Migrant Integration and Education Office shall be responsible for implementing the registration and pre-departure programs and services as well as the public assistance and information program of the Commission. It shall also provide welfare support services to Filipinos emigrants and other categories of migrating Filipinos.
This office shall establish appropriate mechanisms to ensure the effective coordination of the Assistance to Nationals Program. It shall perform staff coordinating functions, and develop information programs to complement activities in connection with assistance to CFO constituents both here and abroad.
- c. *Administrative and Finance Office* - The Administrative and Finance Office shall be responsible for the efficient management of the Commission's human and financial resources and shall be responsible for various administrative, personnel, budgetary, financial, logistical, and accounting services of the Commission.
- d. *Management Information System Office* - A Management Information System Office shall be established within the CFO Secretariat to develop, establish and maintain a computerized data banking and information system on Filipinos overseas in support to policy functions of CFO. It shall formulate plans, programs and procedures for effective data base management and networking, as well as in support of the implementation of a Shared Government Information System for Migration, pursuant to Section 20 of Republic Act 8042.
- e. *Planning, Research and Policy Office* - The Management and Planning Office shall be reorganized into the Planning, Research and Policy Office. The Planning, Research and Policy Office shall be responsible for providing the Commission with effective and efficient planning, programming and project development services. This office shall also initiate, coordinate and implement the conduct of all relevant policy research and development work."

SEC. 3. CFO Overseas and Extension Offices. The Commission on Filipinos Overseas shall establish representative offices in countries/areas, other than those identified in Executive Order No. 938, deemed necessary in pursuance of the mandate of Batas Pambansa Blg. 79, and in promoting the interests and well being of Filipino migrants. As far as practicable, CFO overseas offices shall be housed at the Philippine Embassy or Consulate having relevant geographical jurisdiction. The CFO

representatives abroad shall work under the direct supervision of the relevant Philippine Ambassador or Chief of Mission.

The CFO shall also establish extension offices in the Philippines in areas identified as major exit points of departing Filipino emigrants. These offices shall be housed at the extension offices of the Department of Foreign Affairs.

SEC. 4. *Filipino Education and Heritage.* Pursuant to Section 3(e) of Batas Pambansa Blg. 79, the Commission on Filipinos Overseas shall among others, develop and implement policies and programmes geared to actively preserve and enhance ties with younger generations of overseas Filipinos in order to keep them from being alienated from their native country, and to provide them with the knowledge and values that would contribute to shaping their Filipino identity.

SEC. 5. *Assistance to Nationals.* Pursuant to relevant provisions of Administrative Order No. 182 and Memorandum Order No. 357, the Commission on Filipinos Overseas shall review, formulate and recommend on a continuing basis, policies and programs to address the needs of overseas Filipinos, in support of the Assistance-to-Nationals Program.

SEC. 6. *Manpower Complement of the Secretariat.* In view of the additional tasks provided for in this Order, the manpower complement of the Secretariat of the Commission shall be reviewed and accordingly adjusted. The Secretariat shall therefore work with the Civil Service Commission and the Department of Budget and Management on the reclassification of positions resulting from the reorganization promulgated by this Executive Order.

SEC. 7. *Funding.* Funds necessary to immediately carry out the provisions of this Executive Order shall be sourced by the Department of Budget and Management from available sources, upon request of the CFO Secretariat. Funding requirement in the succeeding fiscal years shall be provided for in the regular budgetary appropriations of the Commission.

SEC. 8. *Repealing Clause.* All Executive orders, issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SEC. 9. *Effectivity.* This Executive Order shall take effect immediately upon its approval.

DONE in the City of Manila, this 14th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 347
DECLARING AND DELINEATING THE LEGAZPI PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Legazpi is one of the major ports in the country;

WHEREAS, there is a need to expand the Port of Legazpi to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The territorial jurisdiction of the Port of Legazpi is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 180 meters with bearing South 5°20' East, thence to point 3 at a distance of 304 meters with bearing South 62°0' East, thence to point 4 at a distance of 270 meters with a bearing of North 65°10' East, thence to point 5 at a distance of 320 meters with bearing North 30°0' West, thence to point 6 at a distance of 71 meters with bearing South 61°41' West, thence to point 1, the point of beginning at a distance of 310 meters with bearing South 83°30' West, all comprising a total area of 131,181.86 square meters more or less”.

Sec. 2. The Legazpi Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning development and utilization of the port.

Sec. 3. All other orders, proclamations and issuances or portions thereof, inconsistent with this Executive Order are hereby repealed or modified accordingly.

Sec. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 18th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 348

**DECLARING AND DELINEATING THE MASBATE PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY**

WHEREAS, the Port of Masbate is one of the major ports in the country:

WHEREAS, there is a need to expand the Port of Masbate to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The territorial jurisdiction of the Port of Masbate is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 282 meters with bearing South 45°0' West, thence to point 3 at a distance of 13 meters with bearing South 45°0' West thence to point 4 at a distance of 16 meters with bearing North 54°0' West, thence to point 5 at a distance of 41 meters with bearing South 38°50' West, thence to point 6 at a distance of 25 meters with bearing North 51°0' West, thence to point 7 at a distance of 405 meters with bearing South 41°25' West, thence to point 8 at a distance of 428.84 meters with bearing South 51°05 “31” East, thence to point 9 at a distance of 444.85 meters with bearing North 35°0' East, thence to point 10 at a distance of 58 meters with bearing North 51°10' West, thence to point 1, the point of beginning at a distance of 25 meters with bearing North 42°0' East, all comprising a total area of 184,057.15 square meters more or less.”

Sec. 2. The Masbate Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning development and utilization of the port.

Sec. 3. All other orders, proclamations and issuances or portions thereof, inconsistent with this Executive Order are hereby repealed or modified accordingly.

Sec. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 18th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 349

ADOPTING THE MT. MAKILING RESERVE AREA AND LAGUNA DE BAY REGION MASTER PLAN, PROVIDING FOR THE IMPLEMENTATION THEREOF AND FOR OTHER PURPOSES

WHEREAS, Executive Order No. 121, dated 24 August 1993, constituted the Mt. Makiling Reserve Area and Laguna de Bay Commission to coordinate and oversee efforts to preserve and develop the Mt. Makiling Reserve Area and the Laguna de Bay Region, consistent with the development framework;

WHEREAS, Section 4 of said Executive Order directed the Commission to formulate and submit, for approval of the President, a Master Plan for the preservation and development of the Mt. Makiling Reserve Area and Laguna de Bay Region;

WHEREAS, Section 5 of the same Executive Order directed the implementation of a moratorium in the subject areas and the Commission to recommend and provide guidelines for the lifting of said moratorium after the Master Plans have been put in place;

WHEREAS, after a series of consultations with concerned sectors, the Master Plan was formulated and adopted by the Mt. Makiling Reserve Area and Laguna de Bay Commission during its meeting on February 8, 1996;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the approval and adoption of the Mt. Makiling Reserve Area and Laguna de Bay Region Master Plan. In accordance therewith, I hereby order the following:

SECTION 1. *Implementation of the Master Plan.* The implementation of the Master Plan shall be guided by the following priority considerations:

- a. The implementation of programs and projects under the Master Plan shall be consistent with existing environmental laws and policies for the environmental protection of the region;
- b. The implementation of the Master Plan shall be directed towards the rehabilitation and sustainable development of the watershed to ensure adequate and continuous fresh water supply for various uses;
- c. The implementation of the Master Plan shall support the efforts to enhance the environmental quality of the lake. Consistent with this, a Zoning and Management Plan for the Lake and its fishery resources shall be implemented with priority attention to small fisherfolks and other marginalized sectors of the region; *and*
- d. The implementation of the Master Plan shall also ensure the protection of the natural ecological attributes of the Mt. Makiling Reserve Area.

SEC. 2. *Moratorium.* The moratorium provided in Section 5 of Executive Order No. 121 is hereby lifted in areas specified in the guidelines issued by the Commission pursuant to the Master Plan as follows:

- a. Moratorium on the issuance of new land development permits, clearances or concessions, as well as all modes of disposition in areas outside of the designated Buffer Zones is hereby lifted.
However, development of projects in these areas shall be subject to the conditions of PD 1586 and other existing environmental laws and policies as well as compliance with the requirements of DENR-LLDA and other government agencies. For existing projects, there should be adequate provision of environmental management measures that mitigate all negative impacts.
- b. The moratorium in areas designated as Buffer Zones shall remain in effect. As such, development in these areas shall be in accordance with the Master Plan provided that these are non-critical projects as provided in the guidelines.
Disposition involving areas within the Buffer Zone of the Mt. Makiling Reserve Area shall be allowed. However, subsequent development shall still be covered by the moratorium as stated above.
For the Laguna Lake Buffer Zone, development shall also be in accordance with the provisions of the Shoreland Policy as promulgated by the LLDA;
- c. Moratorium on the issuance of new permits for the construction and operation of fishpens and fishcages in the Laguna Lake is lifted subject to compliance with the Zoning and Management Plan for Laguna de Bay.

SEC. 3. *Institutional Arrangement.* To ensure that the Master Plan shall be implemented fully in the most expedient way, the following are hereby directed:

- a. The Mt. Makiling Reserve Area and Laguna de Bay Commission in addition to its functions, shall provide oversight and coordinative mechanisms to fast-track the implementation of the programs and projects under the Master Plan;
The Commission shall provide for an effective review, monitoring and continuous refinement of the Master Plan to make it responsive to the development requirements in the region;
 - b. The Laguna Lake Development Authority (LLDA) and the University of the Philippines at Los Baños (UPLB) in coordination with various agencies, shall lead in the implementation of the Master Plan for the Laguna de Bay Region and the Mt. Makiling Reserve Area, respectively;
 - c. The Executive Committee (ExCom) created pursuant to Memorandum Order No. 204 issued on April 27, 1994 shall oversee the full implementation of the programs and projects of the Master Plan; *and*
 - d. All concerned Local Government Units and other government agencies or entities shall align their development plans, programs and projects and extend full support to the implementation of the Master Plan. The private sector is also encouraged to support the Master Plan and coordinate their activities with the Commission.
-

SEC. 4. *Repealing Clause.* All orders, issuances, circulars, rules and regulations, or portions thereof, inconsistent with the provisions of this Executive Order are hereby deemed amended, repealed or modified accordingly.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 18th day of June, in the year of our Lord Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 350

**DIRECTING THE PROMINENT DISPLAY OF THE NATIONAL FLAG IN ALL PARKS,
BUILDINGS AND ESTABLISHMENTS IN PREPARATION FOR THE CENTENNIAL OF
PHILIPPINE INDEPENDENCE IN 1998**

WHEREAS, the Philippines will commemorate the centennial of the proclamation of Philippine Independence on 12 June 1998;

WHEREAS, the National Flag which symbolizes patriotism, love of country, and sense of nationhood of the Filipino people is a significant and instrumental means of raising the level of awareness of the people in the spirit of the coming centennial celebration of Philippine Independence;

WHEREAS, Executive Order No. 179, series of 1994, mandated the prominent display of the National Flag in all public buildings, government institutions and official residences in commemoration of the first unfurling of the Philippine Flag on Philippine soil on 28 May 1898;

WHEREAS, Executive Order No. 137, series of 1965, mandates the display of the National Flag on national holidays or special holidays, as the President may proclaim;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by the powers vested in me by law, do hereby order:

SECTION 1. The National Flag shall henceforth be prominently displayed in all public buildings, schools, government offices including government owned or controlled corporations, public squares, parks and plazas, as well as in official residences. Wherever appropriate, or in very large buildings or establishments, two or more Flags shall be displayed. To give due honor and deference to this foremost symbol of the country, all concerned are directed to replace all faded, dilapidated and worn out Flags with new ones of prescribed sizes.

The general public is likewise urged to join in this worthy endeavor of displaying the National Flag whenever practicable to show the Filipino spirit of patriotism and nationhood to the entire world community.

SEC. 2. All concerned agencies are authorized to allocate such amounts as may be necessary to defray the expenditures which may be incurred in the implementation of this Order, subject to the usual accounting and auditing rules and regulations.

SEC. 3. This Executive Order takes effect immediately.

DONE in the City of Manila, this 25th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 351
CREATING A SILTATION STEERING COMMITTEE TO MANAGE A TRUST FUND
FOR SILTATION AND EROSION-RELATED ISSUES

WHEREAS, the issue on siltation is a most-often cited issue particularly in relation to the San Roque Multi-Purpose Dam Project (SRMDP);

WHEREAS, there is a real need to address the concern on the ground and put in place a mechanism that will facilitate the management of the problem;

WHEREAS, the National Power Corporation (NPC) has approved an initial amount of TWENTY MILLION PESOS (P20,000,000.00) as Trust fund to mitigate siltation and erosion problems that are existing and that may arise in the future;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a SILTATION STEERING COMMITTEE to manage a Trust fund for siltation and erosion-related issues.

SECTION 1. Composition. The Steering Committee shall be composed of

Chairman, Mayor of the Municipality of Itogon
Co-Chairman, DENR-CAR Regional Executive Director
Representative, Provincial Government of Benguet
Representative, Office of the Cabinet Officer for Regional Development-CAR
Presidential Assistant, Office of the President
Representative, Religious Sector/NGO/PO
Representative, Dalupirip-Ampucao-Poblacion-Tinongdan Indigenous Organizations
Secretariat, National Power Corporation

SEC. 2. Functions. – The Steering Committee shall have the following functions:

1. To receive, administer and manage a Trust Fund, initially appropriated at TWENTY MILLION PESOS (P20,000,000.00) that shall be deposited in trust for the account of the Municipal Government of Itogon;
2. To authorize the disbursements and release of necessary funds out of the siltation trust fund, subject to the usual accounting and auditing rules and regulations, for siltation and erosion problems, in such cases and under circumstances as may be determined by the committee. Disbursements shall bear the signatures of the Chairman and Co-Chairman of the committee.
3. To commission studies, surveys and other related activities deemed necessary that will identify structures and processes which will minimize siltation along the Agno River and

-
- its tributaries (upper portion of the proposed Dam), within the lake that will be formed by the proposed SRMDP, and within the adjoining watershed area;
4. To establish a Geographic Information System (GIS) that shall facilitate project planning and decision making;
 5. To formulate/adopt its own implementing rules and regulations including a set criteria in the utilization of the Fund and its earned interests.

SEC. 3. Effectivity. – This Executive Order shall take effect immediately.

Done in the City of Manila, this 29th day of June, in the year of Our Lord, nineteen hundred and ninety six.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 352

**DESIGNATION OF STATISTICAL ACTIVITIES THAT WILL GENERATE CRITICAL DATA FOR
DECISION-MAKING OF THE GOVERNMENT AND THE PRIVATE SECTOR**

WHEREAS, Executive Order No. 121, which was issued in January 1987, created the National Statistical Coordination Board (NSCB) as the policy-making and coordinating body of the decentralized Philippine Statistical System;

WHEREAS, the NSCB, now an agency attached to the National Economic and Development Authority (NEDA), has established a system of designated statistics in accordance with its mandate, that enables the identification and generation of the most critical and essential statistics required for social and economic planning/analysis based on approved criteria;

WHEREAS, the generation of said data requires the conduct of nationwide census and surveys and the maintenance/processing of administrative based records on a regular basis to allow for monitoring time series analysis and forecasting by policy-makers;

WHEREAS, the quality of these designated statistics needs to be continuously improved to address the needs of data users;

WHEREAS, the system of designated statistics is a dynamic process that allows for updating to keep attuned to the emerging demands of data users;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The activities and statistics that have been designated by the NSCB, as Annexed to this Executive Order, shall be adopted by the government as the means of generating the critical and essential data for administrators, planners and policy makers in the government and private sectors.

SEC. 2. The implementing agencies shall provide the Office of the President, thru the NSCB the results of said censuses, surveys and administrative based reports on a regular basis and ensure the dissemination of the data to the general public in accordance with the designated time frame.

SEC. 3. The implementing agencies shall be responsible in carrying out the improvements in the design for generating designated statistics in accordance with their respective mandate.

SEC. 4. Any modification, addition or deletion from the above list shall be approved through a Board Resolution by the NSCB in accordance with its implementing guidelines. The NSCB is authorized to issue implementing guidelines consistent with the provisions of this Executive Order. It shall also be responsible for monitoring the system's implementation to attain the objectives of this Executive Order.

SEC. 5. The NSCB shall regularly conduct adequate consultation with the data users and producers as a means of updating the lists of designated statistics to be responsive to the emerging needs of data users.

SEC. 6. The amounts necessary to carry out the provisions of this Executive Order shall be provided for in the General Appropriations Act (GAA) in the year following its approval and thereafter.

However, immediate requirements to implement this Executive Order shall be taken from any available appropriations in the CY 1996 GAA, subject to the usual budgetary rules and regulations.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 1st day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 353
OBLIGATING AND GUARANTEEING THE DEPARTMENT OF FOREIGN
AFFAIRS (DFA) LOAN WITH THE PHILIPPINE NATIONAL BANK AND
ORDERING THE SECRETARY OF BUDGET AND MANAGEMENT TO INCLUDE
IN THE DFA ANNUAL BUDGET APPROPRIATION FOR THE PURCHASE OF
PROPERTIES FOR CY 1997, 1998, 1999, 2000 AND 2001 SUCH AMOUNTS
NECESSARY TO AMORTIZE AND PAY OFF SAID GOVERNMENT LOAN

WHEREAS, it has been the declared policy of the government to upgrade shabby embassy chanceries and residences of the Philippine foreign service through the acquisition and financing of new properties, considering that these embassies shall become the showcase and center activities during the celebration abroad of the Philippine Centennial in 1998;

WHEREAS, the Department of Foreign Affairs (DFA) identified three properties that are available for acquisition in the cities of Madrid, Rome and Los Angeles;

WHEREAS, said properties have been assessed as adequate for the use of the foreign service, located in prominent and decent areas and easily accessible by public transport;

WHEREAS, after several meetings with Philippine National Bank (PNB) officials, there has been an agreement between the PNB and DFA to enter into a loan agreement in the amount of US\$9,589,000 to purchase the three properties;

WHEREAS, said loan shall serve as bridge finance to purchase the three properties, payable in 5 years, and the 1996 annual appropriations of the DFA for chancery rentals for the three posts shall initially pay for the interest; the budget appropriations for purchased of properties for 1997, 1998, 1999, 2000 and 2001 shall pay for the loan.

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, hereby obligate and guarantee the DFA loan with the PNB and order the Secretary of the Budget and Management to include in the DFA annual budget appropriation for the purchase of properties for CY 1997, 1998, 1999, 2000 and 2001, such amounts necessary to amortize and payoff said government loan.

DONE in the City of Manila, this 28th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 354

AUTHORIZING THE NATIONAL POWER CORPORATION TO ENTER INTO NEGOTIATED CONTRACTS FOR THE COAL SUPPLY REQUIREMENTS OF ITS POWER STATIONS AS WELL AS THOSE OF ITS INDEPENDENT POWER PRODUCERS, AND FOR OTHER PURPOSES

WHEREAS, the Power Development Program of government for the period 1996 through 2005 requires the putting up of capacity additions of 2,150 MW imported coal-fired to the existing 850 MW imported coal-fired power stations;

WHEREAS, Republic Act No. 7638 mandates the adoption of comprehensive program for the efficient supply and economical use of energy consistent with the approved national economic plan;

WHEREAS, the Philippines is competing with the countries in Europe and in the Asia Pacific Region for the limited coal resources available in the world market;

WHEREAS, the tightness in the world coal supply has generated an upward trend in the coal price;

WHEREAS, power companies in Asian countries, such as Japan, South Korea, Hongkong and Taiwan, have secured long term fuel supply for their power stations from the coal producing countries;

WHEREAS, the security and stability of fuel supply to meet the requirements of the National Power Corporation are vital to the country's economic and industrial development and dispersal;

WHEREAS, the security and stability of fuel supply to meet the requirements of the National Power Corporation are vital to the country's economic and industrial development and dispersal;

WHEREAS, the requirements of environmental laws and regulations on coal quality practically limit coal source to a narrow field of coal suppliers and/or producers;

WHEREAS, there is a need to establish a procurement procedure for the coal supplies of NPC;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Fuel Procurement. - The provisions of Executive Order No. 301 and other related laws on procurement of supplies to the contrary notwithstanding, the Governing Board of the National Power Corporation is hereby authorized and directed to come up with ways and means to ensure security and stability of the fuel requirements of its power stations as well as those of its Independent Power Producers, including procurement of coal on a negotiated basis under such terms and conditions consistent with generally accepted norms and practices in international fuel transactions.

SEC. 2. Coal Supply Arrangements. - Conformably with Section 1 hereof, the National Power Corporation is hereby authorized and empowered to enter into coal supply agreements with foreign government instrumentality on a government-to-government basis, coal suppliers and traders, and coal mine operators.

SEC. 3. Standards in International Coal Transaction. - Subject to the approval of the Department of Energy, the National Power Corporation shall formulate and adopt rules and procedure necessary

for the implementation of this Executive Order. Such rules and procedures shall conform with norms and practices in international coal transactions.

SEC. 4. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 5. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 5th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 355

**REACTIVATING THE NATIONAL ORGANIZING COMMITTEE FOR THE FIFTH ASIAN AND
PACIFIC MINISTERIAL CONFERENCE ON SOCIAL DEVELOPMENT**

WHEREAS, the Asian and Pacific Ministerial Conference in Preparation for the World Summit for Social Development held in Manila, Philippines on 12-18 October 1994 adopted the Manila Declaration on the Agenda for Action on Social Development in the Economic And Social Commission For Asia And The Pacific (ESCAP) Region, which contains strategies to address critical social development issues facing the countries of the region;

WHEREAS, the World Summit for Social Development held in Copenhagen, Denmark on 6-12 March 1996 adopted the Copenhagen Declaration and Programme of Action which embody the commitments, policies, actions and measures to address the global problems of poverty, unemployment and social disintegration in a framework of sustained economic growth, sustainable development, and a national and international environment favorable to social development;

WHEREAS, the Fifth Asian and Pacific Ministerial Conference on Social Development, hereinafter referred to as the Conference scheduled in 1997 or early 1998, will provide opportunity to review implementation of the Manila Declaration on the Agenda for Action on Social Development in the ESCAP Region as well as the Copenhagen Declaration and Programme of Action;

WHEREAS, as requested by the United Nations ESCAP during its 52nd Session held in April 1996 in Bangkok, Thailand, the Philippines agreed to host the Conference;

WHEREAS, a National Organizing Committee, hereinafter referred to as the Committee, was created through Executive Order No. 154 issued by the President in 27 January 1994 for the Asian and Pacific Ministerial Conference in Preparation for the World Summit for Social Development;

WHEREAS, there is a need to reactivate the Committee to facilitate preparations for the Conference to fully ensure its success;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reactivate the Committee and authorize the same to undertake the necessary preparations for the Conference.

The composition of both the Committee and the Executive Committee is amended to include the Office of the Presidential Assistant for Social Development, as member, in lieu of the Office of the President.

Such amounts as may be necessary for the operation of the Committee, its Secretariat and Subcommittees and the holding of the Conference shall be included in the International Commitments Fund portion of the Fiscal Year 1997 budget.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 9th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 356

AMENDING EXECUTIVE ORDER NO. 203, "CREATING THE OVERSIGHT AND EXECUTIVE COMMITTEES FOR THE NATIONAL GOVERNMENT'S MAJOR SOCIAL REFORM AGENDA," AND PROVIDING FOR THE ADOPTION OF THE GUIDELINES ON THE INSTITUTIONAL ARRANGEMENT TO FAST-TRACK SRA LOCALIZATION

WHEREAS, it has been a declared policy of the State to declare an all-out war against poverty as a major component of the Philippines 2000 and as embodied in the Philippine Medium Term Development Plan towards a common vision of an improved quality of life for every Filipino;

WHEREAS, the Social Reform Agenda is the operationalization of the people empowerment track of Philippines 2000 and has been expanded to become the Integrated National Action Agenda on Anti-Poverty as adopted during the National Anti-Poverty Summit held last 19-20 March 1996;

WHEREAS, the attainment of the common vision of winning the war against poverty entails an energized bureaucracy and a participative civil society that adhere to continuous consensus-building processes to effectively fast-track the localization of the SRA in order to achieve the two-pronged objectives of reaching the national target of reducing poverty incidence by 30% in 1998 and ensuring that all relevant policies, programs, projects and resources reach the targeted sectors and communities at the grassroots level;

WHEREAS, the geographic target of the SRA implementation has been expanded from the 20 priority provinces to all regions, provinces, cities and municipalities nationwide which requires a strengthening of existing networks and organizations and broader participation from all stakeholders particularly the local government units and the basic sectors;

WHEREAS, the war against poverty should be broken down into manageable battles that define the areas of engagement and specific roles and accountabilities of major stakeholders at the national and sub-national levels;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of powers vested upon me by law, do hereby order the adoption of the guidelines on the institutional arrangements to fast-track the localization of the SRA as the Integrated National Action Agenda on Anti-Poverty;

SECTION 1. All National Government Agencies and Local Government Units are hereby directed to adopt the guidelines on the SRA Institutional Arrangements issued by the Social Reform Council (SRC). They are also directed to conduct in-house orientation and disseminate this guidelines to all their officials and personnel.

SEC. 2. The outcomes of effective localization of the SRA entails the following stakeholders to undertake these immediate tasks:

- a. Flagship agencies are directed to implement and monitor the progress of their SRA program and resource commitments to the targeted sectors and communities, and to make these information available to all concerned basic sectors organizations and local government units;

-
- b. Convergence lead agencies, together with the local government units and basic sectors, are directed to orchestrate the convergence of programs, projects and resources to their respective convergence areas. They are also directed to spearhead the installation and monitoring of the Minimum Basic Needs Approach in their respective areas;
 - c. Cabinet Officers for Regional Development are directed to orchestrate the implementation and monitoring of the progress of their respective Regional Social Reform Agenda together with all regional line agencies, local government units and basic sectors organizations; *and*
 - d. Local Government Units are directed to lead the implementation and monitoring of their Local Social Reform Agenda in coordination with the basic sectors organizations at their respective levels.

SEC. 3. All National Government Agencies are directed to constantly interface with and provide support and complementary interventions to their sectoral and local counterparts in the implementation of anti-poverty plans and programs.

SEC. 4. National Government Agencies and Local Government Agencies are hereby directed to issue necessary operational directives or issuances supportive of the provisions of this Order, in close coordination with the SRC Secretariat to ensure consistency.

SEC. 5. Flagship Agencies, Convergence Lead Agencies, Cabinet Officers for Regional Developments and Local Government Units shall conduct periodic monitoring and evaluation of the implementation of the guidelines on the Institutional Arrangements. The SRC Secretariat shall convene a sub-committee to undertake periodic assessment every six (6) months, and provisions of the guidelines may be refined as the need arises.

SEC. 6. The SRC shall adopt a Monitoring and Evaluation System (MES) to effectively track the progress of SRA implementation as endorsed by the SRC Technical Working Group. The MES shall focus on the Minimum Basic Needs and Basic Reform Commitments and the effective allocation and utilization of resources for anti-poverty programs, among others.

SEC. 7. To effectively localize the SRA to all targeted areas, funding shall come from: a) the Flagship Agencies and Convergence Lead Agencies and b) Office of the Cabinet Officers for Regional Development. Augmentation fund shall come from the President's Contingent Fund and any other fund that the President may authorize to be released to the CORDs, through the Social Reform Council. This shall be done in close coordination with the Department of Budget and Management and the SRC Secretariat, subject to availability of funds and the usual accounting and auditing rules and regulations. The SRC shall prepare appropriate guidelines for this purpose.

SEC. 8. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 12th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 357
APPROVING THE ALLOCATION OF A FIVE PERCENT SHARE FOR
LOCAL GOVERNMENT UNITS FROM THE LOTTO CHARITY FUND
AND PROVIDING THE SHARING SCHEME THEREFOR

WHEREAS, the Philippine Charity Sweepstakes Office (PCSO) is the principal government agency for raising and providing funds for health programs, medical assistance and services and charities of national character;

WHEREAS, the PCSO is also the national agency responsible for operating and supervising the charity sweepstakes races, the lottery and other similar activities as a source of funds consistent with its charter;

WHEREAS, the PCSO rules mandate the setting aside of thirty (30%) percent of its net receipts from its lotto operations as a Lotto Charity Fund;

WHEREAS, the PCSO Board of Directors has resolved to grant five (5%) percent of the thirty (30%) percent Lotto Charity Fund in favor of the local government units where lotto tickets are sold;

WHEREAS, Republic Act No. 1169 entitled “An Act Providing for Charity Sweepstakes, Horse Races and Lotteries” requires presidential approval for grants such as that made by the PCSO Board in favor of the local government units where lotto tickets are sold;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Approval of Five (5%) Percent Grant to LGUs.* The grant of a five (5%) percent share from the thirty (30%) percent Lotto Charity Fund in favor of local government units where lotto tickets are sold, subject to the applicable provisions on the use thereof under RA No. 1169, is hereby approved.

SEC. 2. *Sharing of Funds by LGUs.* The local government units entitled, under Section 1 hereof, to the five (5%) percent share in the Lotto Charity Fund shall receive the same in the following manner:

Municipalities – five (5%), percent to be shared on a 3:2 ratio
between the municipality concerned and its province; *and*

2. Cities five (5%) percent

SEC. 3. *Drawdown Periods.* For purposes of administrative facility, drawdowns by the local government units concerned shall be made on a semestral basis, i.e., every six (6) months.

SEC. 4. *Availment of the Five (5%) Percent Fund.* Local non-governmental organizations (NGOs), institutions and agencies performing charity work shall, at the level of the proper LGU, have access to and may avail of the fund allocated to such LGU subject to limitations as to use as laid down in RA No. 1169.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 357-A

AMENDING EXECUTIVE ORDER NO. 357, SERIES OF 1996, WHICH APPROVED THE ALLOCATION OF A FIVE PERCENT SHARE FOR LOCAL GOVERNMENT UNITS FROM THE LOTTO CHARITY FUND AND PROVIDING A SHARING SCHEME THEREFOR

WHEREAS, Executive Order No. 357, series of 1996, approved the grant of a five (5%) percent share from the thirty (30%) percent Lotto Charity Fund in favor of local government units where lotto tickets are sold;

WHEREAS, Section 2 of the aforesaid executive order granted five percent (5%) share to cities and another five (5%) percent to be shared on a 3:2 ratio between the lotto host municipality concerned and its province;

WHEREAS, there is a need to amend the executive order in order to rationalize the sharing and distribution scheme to the concerned LGUs.

NOW, THEREFORE, I, FIDEL V. RAMOS, by virtue of the powers vested in me by law, do hereby amend Sections 1 and 2 of Executive Order No. 357, series of 1996, to read as follows:

“SECTION 1. Approval of Grant to LGUs. A proportionate grant from the thirty percent (30%) Lotto Charity Fund in favor of local government units where lotto tickets are sold, subject to the applicable provisions on the use thereof under RA No. 1169, is hereby approved.

SEC. 2. Sharing of Funds by LGUs. The local government units concerned shall receive their share of the Lotto Charity Fund under this executive order, as follows:

- 1 Municipalities - seven (7%) percent to be shared on a 5:2 ratio between the municipality concerned and its province; and
2. Cities - five (5%) percent.”

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 358
CREATING A PRESIDENTIAL COMMISSION FOR THE RESTORATION,
CONSERVATION AND PRESERVATION OF THE VIGAN HERITAGE VILLAGE

WHEREAS, The Medium-Term Philippine Development Plan for 1993-1998 has identified the North Western Luzon Growth Quadrangle (NWLQG) comprising the provinces of Region I and the Baguio-La Trinidad-Itogon-Sablan-Tuba (BLIST) area in Cordillera Administrative Region (CAR) as a component strategy towards tourism and agri-tourism development;

WHEREAS, an important component of the NWLQG master plan is the tourism Development Master Plan for Region I which identified the area of Vigan and its adjacent municipalities as major destination called “the Vigan Heritage Village and Tourism Complex” in the North Quad Area;

WHEREAS, the Vigan Heritage Village and Tourism Complex is envisioned to be the first of its kind in the country and even in the East Asia vicinity;

WHEREAS, to enable the government and the private sector to undertake measures in restoring, preserving and conserving the uniqueness and rich cultural and heritage of Vigan and its environs and in promoting the accelerated socio-economic development of the area, there is a need to create a body that shall be in-charge of the overall direction, coordination and supervision in the planning implementation, management and monitoring of the development efforts of the Vigan Heritage and Tourism Complex.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There is hereby created under the Office of the President, a Presidential Commission to be called Vigan Heritage Village Commission, hereinafter referred to as Commission. The Commission shall be responsible for the overall policy direction, coordination, management and implementation of the entire Vigan Heritage Village and Tourism Complex development efforts. It shall be composed of the following members:

a. Department of Tourism	Chairman
b. Province of Ilocos Sur	Co-Chairman
c. Philippine Tourism Authority	Member
d. Department of Public Works and Highways	Member
e. Department of Interior and Local Government	Member
f. Department of Trade and Industry	Member
g. Department of Education, Culture and Sports	Member
h. Presidential Management Staff	Member
i. Municipality of Vigan	Member
Project Management Office of North Quad Commission	Member

- | | |
|--|--------|
| k. Regional Development Council, Region I | Member |
| Three (3) Representatives from the Private Sectors who shall be appointed by the President | Member |

The Commission shall be chaired by the Secretary of Tourism and co-chaired by the Governor of the Province of Ilocos Sur.

The Commission shall have the following functions:

- a. Cause the preparation of the detailed master plan of the Vigan Heritage Village and Tourism Complex to serve as the blue print for development of the area;
- b. Review and submit to the President for approval, the Vigan Heritage Village and Tourism Complex Master Plan and Development Program;
- c. Provide overall direction and coordination in the planning and monitoring of all program/project components and development activities, e.g. tourism development, environmental protection, attracting business investment, social development, and institutional building of the Vigan Heritage Village and Tourism Complex Project in consultation and coordination with concerned entities;
- d. Study and review policy measures that shall promote and address the concerns on environmental protection, poverty alleviation, eco-tourism, and sustainable development of the area;
- e. Encourage the support and assistance from government and non-government institutions in planning and implementing the various components under the Vigan Heritage Village and Tourism Complex Project;
- f. Review and endorse to the Department of Budget and Management (DBM) the annual budget for the operations of the Vigan Heritage Village Commission;
- g. Submit to the President regular quarterly reports on the development of the Vigan Heritage and Tourism Complex and such other reports as may be required;
- h. To accept and manage grants, donations or any such funds for the development of the Vigan Heritage and Tourism Complex Project;
To mobilize private sector participation as the primary actor for the development of the project;
- j. To conduct advocacy and investment promotion activities; *and*
- k. To adopt rules, systems and procedures and structures that the Commission may deem fit to carry out its functions.

SEC. 2. Executive Committee (ExCom). There is hereby created a Vigan Heritage Village Commission Executive Committee (ExCom) to supervise its day-to-day operations. The ExCom shall be comprised of not more than one third of the total membership of the fully-constituted Commission. The Commission shall appoint the members of the ExCom. The ExCom Chairman shall possess, among others, provincial statute and perspective. All action/s undertaken by the ExCom shall be confirmed by the Commission proper.

SEC. 3. Technical Working Group. A Technical Working Group shall be created by the Commission or thru its ExCom to serve as the technical secretariat. And as such, shall undertake the day to day activities of the Vigan Heritage Village Project. The Technical Working Group (TWG) shall be headed by an Executive Director to be appointed by the President. It shall be composed of

concerned line agencies. The Department of Tourism – Region I and the Provincial Development Staff shall provide secretariat support to the Commission, its ExCom and the TWG.

SEC. 4. For the operational requirements of the Vigan Heritage Commission for the year 1996, the amount of Two Million Pesos (P2,000,000.00) shall be drawn from the President's Contingent Fund, the funds of DOT and Local Provincial and Municipal Government or units concerned. Appropriate funds for succeeding years shall be incorporated in the budget proposal under the Office of the President.

SEC. 5. All executive issuances, orders, rules and regulations, or parts thereof, inconsistent with the Executive Order are hereby revoked or modified accordingly.

SEC. 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 12th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 359
ADJUSTING THE DIVIDEND RATES OF SELECTED GOVERNMENT OWNED AND/OR
CONTROLLED CORPORATIONS ON THEIR 1995 NET EARNINGS PURSUANT TO
SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that;

“Section 1. Declaration of Policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of the government owned and/or controlled corporations (GOCCs), the liquidity, retained earnings position and medium-term plans and programs of these GOCCs were considered in the determination of the reasonable dividend rates of such corporations on their 1995 net earnings;

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by various government owned and/or controlled corporations in the interest of national economy and general welfare.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by the following government owned and/or controlled corporations as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to the rates specified hereunder:

1. Land Bank of the Philippines	30% (cash)
2. Manila International Airport Authority	25% (cash)
3. Metropolitan Waterworks and Sewerage System	20% (cash)
4. National Electrification Administration	15% (cash)
5. Philippine Center for Economic Development	25% (cash)
6. Philippine Ports Authority	50% (cash)
7. Phividec Industrial Authority	20% (cash)
8. Public Estates Authority	20% (cash)

Sec. 2. The adjusted dividend rates provided for under Section 1 are only applicable on 1995 net earnings of the concerned government owned and/or controlled corporations.

Sec. 3. This supersedes all other issuances on this same subject matter.

Sec. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 360

AMENDING EXECUTIVE ORDER NO. 192, SERIES OF 1994, AUTHORIZING THE
ESTABLISHMENT OF THE CLARK INTERNATIONAL AIRPORT CORPORATION TO
OPERATE AND MANAGE THE CLARK AVIATION COMPLEX

WHEREAS, Executive Order 192, series of 1994, ordered the creation of the Clark International Airport Corporation (CIAC);

WHEREAS, there is a need for the Bases Conversion Development Authority (BCDA) to be the direct stockholder of the CIAC in compliance with R.A. 7227, particularly Section 4 (d) thereof, which provides that the BCDA will “serve as the holding company of the subsidiary companies created pursuant to Section 16 of this Act”;

WHEREAS, there is a need for the BCDA to support and guarantee the financial transactions of the CIAC as its direct stockholder;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Sections 1, 3, 4, 5 and 6 of Executive Order No. 192, s. of 1994, are hereby respectively amended to read as follows:

“Section 1. *Creation of the Clark International Airport Corporation.* - A body corporate to be known as the Clark International Airport Corporation (CIAC) is hereby authorized to be formed to operate and manage the Clark Aviation Complex.

Consistent with Sections 4 and 16 of Republic Act No. 7227 (1992), the CIAC shall be a wholly-owned subsidiary corporation of the Bases Conversion Development Authority (BCDA) and shall be formed in accordance with the Corporation Code and existing rules and regulations promulgated by the Securities and Exchange Commission. The CIAC shall be subject to the policies, rules and regulations promulgated by the BCDA.”

“Section 3. *Board of Directors.* - Subject to Section 16 of Republic Act 7227 (1992), the powers of the CIAC shall be vested in and exercised by a Board of Directors which shall be composed of not more than eleven (11) members.

The members of the Board representing the equity of the BCDA and the other government corporations or agencies in the capital stock of the CIAC shall be nominated by the President of the Philippines. No person shall be nominated as a member of the Board representing the equity in the capital stock of the National Government in the CIAC unless he is a Filipino citizen, of good moral character, and of recognized competence in relevant fields including but not limited to civil aviation, economics, tourism, law or engineering.”

“Section 4. *Capitalization.* - The Capitalization of the CIAC shall be determined by the BCDA which shall include the following:

Cash Equity to be provided by the BCDA;
Portions of government lands embraced and covered by the Clark Aviation Complex,
as well as permanent improvements and fixtures therein upon proper inventory; and

- (c) All other assets which the President may transfer to the CIAC as part of the equity contribution of the government.”

“Section 5. *Transfer of Clark Air Base Proper.* - In view of Section 4 hereof, and pending the full development of the Clark Reverted Baselands, the BCDA shall transfer to the CIAC the permanent improvements and fixtures within the 2,200 hectare area, more or less, covering the Clark Aviation Complex which is a part of the Clark Air Base Proper under Proclamation No. 163, s. of 1993.”

“Section 6. *Role of Departments, Bureaus, Offices, Agencies, Instrumentalities of the Government.* - All heads of departments, bureaus, offices, agencies and instrumentalities of the government are hereby directed to give full support to the Clark International Airport development program and to coordinate with the BCDA to facilitate the necessary approvals to expedite the implementation of the various aspect of the conversion programs.”

SECTION 2. All orders, rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 361

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 361 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 362
SECOND REGULAR FOREIGN INVESTMENT NEGATIVE LIST

WHEREAS, Republic Act (RA) 8179, which amends RA 7042 also known as the Foreign Investments Act (FIA) of 1991, provides that the Regular Foreign Investment Negative List (RFINL) shall consist only of Lists A and B;

WHEREAS, Section 5, Rule VIII of the amended Implementing Rules and Regulations (IRR) of the FIA as amended, provides that each RFINL shall remain in force only for two years;

WHEREAS, the first RFINL which took effect on 24 October 1994 shall expire on 23 October 1996;

WHEREAS, there is a need to formulate a second RFINL to reflect amendments made by RA 8179 and changes to Lists A and B as recommended by concerned government agencies;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the FIA of 1991 as amended, do hereby order:

SECTION 1. Only investment areas/activities listed in “Annex A” hereof, also known as the second Regular Foreign Investment Negative List, shall be reserved to Philippine Nationals. The extent of foreign equity participation in these areas shall be limited to the percentages indicated in the List.

SECTION 2. Any amendment to List A may be made at any time to reflect changes instituted in specific laws while amendments to List B shall not be made more often than once every two years, pursuant to Section 8 of the FIA as amended and Rule VIII of its amended IRR.

SECTION 3. All orders, issuances, rules and regulations or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately after the end of the effectivity of the first RFINL on 24 October 1996.

DONE in the City of Manila, this 20th day of August, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Reference: Annex “A”

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 363
PROVIDING FOR THE GUIDELINES ON THE ALLOCATION AND RELEASE
OF THE 1996 POVERTY ALLEVIATION FUND

WHEREAS, poverty alleviation stands among the highest priorities of this Administration, and to focus poverty alleviation interventions, 20 priority provinces were identified as the primary initial targets to ensure that these provinces contribute to and benefit from country's economic growth;

WHEREAS, the focus of intensive poverty alleviation efforts has been widened to include Mindanao, particularly the Autonomous Region for Muslim Mindanao or ARMM, in view of its overall high poverty incidence and this Administration's peace and development agenda;

WHEREAS, the 1996 General Appropriations Act provides for a Poverty Alleviation Fund (PAF) amounting to P4.0 billion and designates seven (7) national agencies to oversee the implementation of identified programs;

WHEREAS, there is a need to disseminate clearly to all concerned, the allocation formula and procedures that will be adopted for the release of the PAF to ensure proper coordination between and among the national government agencies and local government units concerned;

WHEREAS, consultations were conducted with the Representatives and Governors of the 20 priority provinces as well as the Representatives of the Mindanao provinces;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of powers vested upon me by law, do hereby order the adoption of the following guidelines for the allocation and release of the 1996 Poverty Alleviation Fund, net of reserves:

Section 1. The scholarship programs under the PAF to be administered by the Commission on Higher Education (CHED) shall be implemented nationwide, provided that the provincial allocations shall be based on poverty incidence and preference shall be given to the applicants from the 20 priority provinces and Mindanao.

Sec. 2. The rest of the funds under the PAF (P3.5 billion) shall be allocated to three (3) focus areas according to the 2-1-1 formula as follows: P1.75 billion for the 15 priority provinces in Luzon and Visayas; P875 million for the four provinces of the ARMM, to include the priority provinces of Sulu and Tawi-tawi; and P875 million for the remaining provinces of Mindanao, to include the priority provinces of Basilan, Agusan del Sur and Surigao del Sur. The portion of the PAF intended for each focus area shall be apportioned among the member provinces as follows, provided that priority shall be given to responding to the needs of the 5th and 6th class municipalities, particularly in the identified convergence areas under the Social Reform Agenda:

- 2.1 P1.75 billion shall be shared equally by the fifteen priority provinces in Luzon and Visayas (Abra, Antique, Apayao, Aurora, Batanes, Benguet, Biliran, Eastern Samar, Guimaras, Ifugao, Kalinga, Masbate, Mountain Province, Romblon, and Southern Leyte);

- 2.2. P875 million shall be shared equally by the ARMM provinces (Lanao del Sur, Maguindanao, Sulu and Tawi-tawi); and
- 2.3. P875 million shall be shared by the non-ARMM Mindanao provinces, P350 million of which shall be allocated equally among the priority provinces of Agusan del Sur, Basilan and Surigao del Sur, and P525 million, allocated equally among the rest of the Mindanao provinces.

Sec. 3. The identification of projects to be funded from the PAF shall be based on a survey of need to be jointly undertaken by the implementing agency and LGUs concerned.

Sec. 4. The appropriation for each component program under the PAF may be realigned to the other component programs, to address gaps in the provision of services to the target provinces, provided that the allocation scheme under Section 2 is maintained.

Sec. 5. The above guidelines shall also apply to the initial 50 percent release of allotments previously authorized, and modifications may be made to conform with the guidelines provided in this Order.

Sec. 6. The concerned departments shall submit the revised guidelines to be adopted for their program component under the PAF, and the resulting provincial allocations, to the Department of Budget and Management not later than 31 August 1996. These shall be jointly approved by the Social Reform Council Secretariat and the DBM.

Sec. 7. An oversight committee shall be created to oversee the implementation of this Executive Order, to be chaired by the Department of Budget and Management with the following agencies as members:

Social Reform Council
Social Development Committee
Department of Interior and Local Government
Presidential Commission to Fight Poverty
Presidential Council for Countryside Development
Office of the Presidential Assistant for Mindanao

Sec. 8. All existing guidelines on the PAF which do not conform with the provisions of this Order are hereby revoked.

Sec. 9. This Executive Order shall take effect immediately.

Done in the City of Manila, this 23rd day of August 1996.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 364
CREATING THE NATIONAL COMMISSION ON SAVINGS

WHEREAS, Philippines 2000, the Filipino people's vision of newly industrialized country's status by the year 2000, recognizes that economic progress and development can be hastened by increasing capital formation by saving with banks and other financial intermediaries;

WHEREAS, in the drive towards Philippines 2000, all sectors of society should be made aware of the vital role of savings in economic development;

WHEREAS, to generate financial resources, capital formation should be accelerated by encouraging the public to save in banks and other financial intermediaries;

WHEREAS, it is vital to instill in the minds of the public the importance of saving for sustained economic development, and as such, a continuing nationwide information, educational and communication campaign shall be instituted that will involve all sectors of society and all levels of government;

WHEREAS, Proclamation No. 380, dated 15 May 1994 was issued "Declaring the Period from June 30 to July 6, 1994 and Every Year Thereafter as Savings Consciousness Week".

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a National Commission on Savings which shall take charge of accelerating capital formation through non-inflationary means, particularly through saving in banks and other financial intermediaries.

1. The Commission shall be composed of the following:

- | | |
|--|-------------|
| a. Secretary of Finance or his duly authorized representative | Chairman |
| b. Governor, Bangko Sentral ng Pilipinas or his duly authorized representative | Co-Chairman |
| c. Secretary of Education, Culture and Sports or his duly authorized representative | Co-Chairman |
| d. Secretary of Interior and Local Government or his duly authorized representative | Member |
| e. Director General, National Economic and Development Authority or his duly authorized representative | Member |
| f. Press Secretary or his duly authorized representative | Member |
| g. President of the Bankers Association of the Philippines | Member |

- | | |
|---|--------|
| h. Rural Bankers Association of the Philippines | Member |
| President of the Chamber of Thrift Banks | Member |

The Commission shall be assisted by a Working Committee and its Secretariat, as follows:

Chairperson	Undersecretary, Department of Finance
Co-Chairperson	Managing Director, Bangko Sentral ng Pilipinas
Vice-Chairperson	Assistant Secretary, Department of Education, Culture and Sports
Members	Director for Branch Operations, Bangko Sentral ng Pilipinas
	Director for Department of Economic Research, Bangko Sentral ng Pilipinas
	Representative from Department of Finance
	Representative from Department of Interior and Local Government
	Representative from National Economic and Development Authority
	Representative from Bankers Association of the Philippines
	Representative from Chamber of Thrift Banks
Secretariat	Representative from Rural Bankers of the Philippines
	Representative from Philippine Information Agency

2. It shall be the primary and direct responsibility of the Commission to prepare and implement such measures and programmes as may be necessary to mobilize savings on a nationwide scale which shall include, but shall not be limited to the launching of a savings consciousness and promotions campaign that will involve all sectors of society; conducting periodic surveys and studies of savings habits and attitudes, marketing campaign, and other similar activities; and the undertaking of studies for the inclusion of thrift and savings consciousness in the curriculum for basic education and literacy programs.

The Commission shall also evolve and recommend policies to the President of the Philippines directed towards providing the incentives which may bring about increased savings in banks and other financial intermediaries.

3. The Department of Finance, Bangko Sentral ng Pilipinas, Department of Education, Culture and Sports, Department of the Interior and Local Government, and National Economic and Development Authority shall share in the initial budgetary requirements, staff and other support and assistance which may be required by the Commission in the performance of its functions. Thereafter, the Commission shall prepare its own annual budget.

4. The Thrift Incentives for Progress through Industry and Discipline (TIPID) movement which is designed to instill in students the virtue of thrift and importance of saving in banks, shall be continued and carried out on a nationwide scale.

5. The Commission is authorized to engage the services of a qualified consultant/agency to assist in the preparation of promotion, campaign, the conduct of savings and similar activities for which specific expertise is needed.

6. The Commission is further authorized to call upon any department, bureau or instrumentality of the Government, including government-owned and/or -controlled corporations, for such assistance as it may need in the discharge of its functions and responsibilities: Provided, however, that the

Commission, whenever it may deem necessary to accomplish its objectives, may delegate any of its authority and responsibilities to corporations, associations or individuals.

7. The members of the Commission and the Working Committee and its Secretariat, in the discharge of their responsibilities, shall receive honoraria or allowances as may be allowed under existing accounting and auditing rules and regulations.

8. This Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 365
PROVIDING FOR THE TARIFF NOMENCLATURE AND IMPLEMENTING
THE RATES OF IMPORT DUTIES ON CERTAIN IMPORTED
ARTICLES UNDER REPUBLIC ACT NOS. 8180 AND 8184

WHEREAS, pursuant to Republic Act No. 8180, tariff duties of three percent (3%) and seven percent (7%) shall be imposed and collected on imported crude oil and refined petroleum products, respectively, except fuel oil and LPG, the rate of which shall be the same as that for imported crude oil;

WHEREAS, it is imperative that a presidential order is issued to implement the specific objective of Republic Act No. 8180 of maintaining a four percent (4%) tariff differential between the tariff rate on crude oil and refined petroleum products as well as to effectively guide the Bureau of Customs in imposing and collecting the correct customs duties on the specific petroleum products covered by the Act;

WHEREAS, in the process of tax restructuring and the de-regulation of the oil industry the special levy imposed on petroleum products shall be abolished and henceforth absorbed by the new specific taxes under Republic Act No. 8184;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof as covered by Republic Act No. 8180 and as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be levied the rates of import duty in accordance with the schedule indicated opposite each article as listed in the aforementioned Annex.

SEC. 2. Upon the effectivity of Republic Act No. 8184 and except for lubricating oils and lubricating oil basestock (HS 2710.00 40) and other solvents (HS 2710.00 70), the special levy of ninety-five centavos (₱0.95) per liter imposed on imported crude oil (HS No. 27.09) and one peso (₱1.00) per liter on petroleum products (HS 27.10 and 27.11) of the Tariff and Customs Code of the Philippines, as amended under Annex A hereof, shall be abolished and those articles which are entered into or withdrawn from warehouse in the Philippines for consumption shall be levied the rates of duty herein prescribed in the revised tariff schedule in Annex B.

SEC. 3. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 4. Effectivity.

1. Annex A is effective as of April 16, 1996, the effectivity date of RA 8180, until the effectivity of RA 8184.
2. Annex B shall be effective upon the initial implementation of the automatic oil pricing formula as provided for under Section 8 of RA 8184.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **LUIS C. LIWANAG II**

Acting Executive Secretary

References: Annexes "A" and "B"

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 366

FURTHER AMENDING EXECUTIVE ORDER NO. 309, S. OF 1987, ENTITLED “REORGANIZING THE PEACE AND ORDER COUNCIL,” AS AMENDED BY EXECUTIVE ORDER NO. 317, S. OF 1988, EXECUTIVE ORDER NO. 320, S. OF 1988 AND EXECUTIVE ORDER NO. 20, S. OF 1992 AND ORGANIZING THE BARANGAY PEACE AND ORDER COMMITTEES AS THE IMPLEMENTING ARM OF THE CITY/MUNICIPAL PEACE AND ORDER COUNCIL AT THE BARANGAY LEVEL

WHEREAS, there is a need to enhance the effectiveness of the Peace and Order Council (POC) in its crime prevention and suppression mission through the expansion of its membership and the extension of its infrastructure down to the barangay level;

WHEREAS, the establishment of a peace and order organization at the barangay level was recommended by participants to the law enforcement workshop during the 4th National Summit on Peace and Order held on April 11-12, 1996 at the PICC, Manila;

WHEREAS, the organization of peace and order bodies in the barangays is also consistent with Senate Resolution No. 145, s. of 1992 urging the establishment of Barangay Crime Watch Centers (BCWCs) nationwide to serve as an effective community-based crime prevention monitoring and coordinating mechanism;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 1 of Executive Order No. 309, as amended by Executive Order No. 317, Executive Order No. 320 and Executive Order No. 20, is hereby further amended to read as follows:

SECTION 1. Reorganization of the Peace and Order Council. - The Peace and Order Council is hereby reorganized on the national, regional, provincial, city and municipal levels of government to be constituted as follows:

a. The National Peace and Order Council (NPOC) shall be composed of the following:

Secretary of the Interior and Local Government	– Chairman
Secretary of National Defense	Vice-Chairman
Secretary of Justice	– Member
Secretary of Social Welfare and Development	– Member
Secretary of Public Works and Highways	Member
Secretary of Trade and Industry	– Member
Secretary of Labor and Employment	– Member
Secretary of Education, Culture and Sports	Member
Secretary of Health	– Member

Secretary of Environment and Natural Resources	Member
Press Secretary	Member
Director-General of the National Security Council	Member
Chairman of the National Police Commission	Member
Director of the National Bureau of Investigation	– Member
Vice-Chairman and Executive Officer of the National Police Commission	– Member
Chairman of the Commission on Human Rights	– Member
Commissioner of Immigration and Deportation	– Member
Executive Director of the Dangerous Drugs Board	Member
Chief of Staff of the Armed Forces of the Philippines	Member
Chief of the Philippine National Police	Member

Twelve (12) representatives from the private sector who shall be appointed by the Chairman as regular members of the Council representing the academic, civic, religious, youth, labor, legal, business, media, women, cooperative, cultural minority and people's organizations. Other cause-oriented groups and organizations may be invited to participate as technical advisers or observers in the council.

- b. A Special Action Committee shall be organized within the NPOC, composed of the Secretary of the Interior and Local Government, Secretary of National Defense, Secretary of Social Welfare and Development, Secretary of Justice, the AFP Chief of Staff, the PNP Chief and a representative from the private sector, to take action on any critical or emergency situation.
 - c. The Regional Peace and Order Council (RPOC) shall be composed of the regional counterparts of the departments, offices and agencies enumerated in paragraph (a) wherever applicable, to be appointed by their respective agency heads. The RPOC Chairman and Vice-Chairman shall be appointed by the Chairman of the NPOC. The Chairman of the RPOC shall appoint at least three (3) representatives from the private sector as enumerated under paragraph (a) upon consultation with the members of the RPOC. Departments, offices and agencies with no regional and/or field offices may deputize their representatives on the sub-national levels. As may be necessary, or depending upon the needs and situation in the area, the RPOC Chairman may appoint additional Sectoral Representatives to the RPOC.
 - d. The Provincial Peace and Order Council (PPOC) shall be composed of the provincial counterparts of the departments, offices and agencies as enumerated in paragraph (a) wherever applicable, to be appointed by their respective agency heads, with the Provincial Governor as Chairman and the Provincial Vice-Governor as Vice-Chairman. In addition, there shall be one representative of the Sangguniang Panlalawigan to be chosen by it from among its members. The Chairman of the Provincial Peace and Order Council shall appoint at least three (3) representatives of the private sector as enumerated under paragraph (a) upon consultation with the members of the Council at his level (PPOC). Departments, offices and agencies with no regional and/or field offices may deputize their representatives on the provincial level. As may be necessary or depending upon the needs and situation in the area, the PPOC Chairman may appoint additional Sectoral Representatives to the PPOC.
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- e. The City or Municipal Peace and Order Council (CPOC/MPOC) shall be composed of the city or municipal counterparts of the departments, offices and agencies as enumerated in paragraph (a) wherever applicable, to be appointed by their respective agency heads with the City or Municipal Mayor as Chairman and the respective Vice-Mayor as Vice-Chairman. In addition, there shall be one representative of the Sangguniang Panlungsod or Sangguniang Bayan, as the case may be, to be chosen by said Sanggunian from among its members. The Chairman of the CPOC or MPOC shall appoint one representative from the veterans group of the locality and at least three (3) representatives of the private sector as enumerated under paragraph (a) upon consultation with the members of the Council at his level (CPOC or MPOC). Departments, offices and agencies with no city/municipal and/or field offices may deputize their representatives on the city or municipal levels as may be necessary, or depending upon the needs and situation in the area, the CPOC or MPOC Chairman may appoint additional Sectoral Representatives to the CPOC/MPOC.

SEC. 2. *Creation of Barangay Peace and Order Committee.* Every Barangay shall organize a Peace and Order Committee to serve as implementing arm of the City/Municipal Peace and Order Council at the Barangay level. Such Committee shall be composed of the following members:

1. The Punong Barangay as Chairman;
2. The Chairman of the Sangguniang Kabataan;
3. A Member of the Lupon Tagapamayapa;
4. A Barangay Tanod;
5. A Public School Teacher (to be designated by the School Principal or School Head Teacher);
6. A Representative of the Interfaith Group;
7. A Senior Citizen;
8. At least three (3) Members of existing Barangay-Based Anti-Crime or Neighborhood Watch Groups or an NGO Representative well-known in his community; *and*
9. A PNP Officer (to be designated by the Chief of Police of the corresponding City/Municipality).

As may be necessary or depending upon the needs and situation in the area, the Punong Kagawad, in his capacity as Chairman of the Barangay Peace and Order Committee may appoint additional Sectoral Representatives to such Committee.

The City/Municipal and Barangay Government shall appropriate the necessary funds for the operation of the Barangay Peace and Order Committee from any available local funds.

SEC. 3. *Functions of the Barangay Peace and Order Committee.* The Barangay Peace and Order Committee shall have the following functions and responsibilities:

- Monitor and coordinate the implementation of peace and order programs and projects at the barangay level;
2. Serve as an information-gathering mechanism;
3. Monitor and check the nefarious activities of criminal elements;

4. Identify barangay constituents with strong deviant behavior for referral to appropriate authorities;
5. Maintain continuing dialogue, close coordination and rapport with the higher levels of the peace and order councils and law enforcement units;
6. Formulate plans and recommend such measures which will improve or enhance peace and order and public safety in their area of responsibility;
7. Monitor, coordinate and supervise the operation of all community-based anti-crime movements within the barangay;
8. Make periodic assessment of the prevailing peace and order situation in their respective areas of responsibility and submit report with appropriate recommendations to the higher level Peace and Order Council; *and*
9. Perform such other functions which may be assigned by higher level peace and order councils.

SEC. 4. Section 5 of the same Executive Order is hereby amended to read as follows:

“*SEC. 5. Implementing Rules and Regulations.* - The National Peace and Order Council shall issue appropriate implementing rules and regulations to carry out the objectives of this Order.

The Chairman of the Peace and Order Council, upon the direction of the President of the Philippines, may be authorized to expand the membership of the council as may be necessary and issue directives and guidelines to ensure an effective implementation of the rules and regulations.”

SEC. 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 367

**DECLARING AND DELINEATING THE JOSE PANGANIBAN PORT IN CAMARINES NORTE
UNDER THE ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY**

WHEREAS, the Port of Jose Panganiban is one of the major ports in the country;

WHEREAS, there is a need to expand the Port of Jose Panganiban to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of shipping trade within the region;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Jose Panganiban is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 1,150.50 meters with bearing S 60° 00'W, thence to point 3 at a distance of 392.08 meters with bearing N 29° 07' W, thence to point 4 at a distance of 1,135.00 meters with bearing N 60° 00'E, thence to point 5 at a distance 247.81 meters bearing S 29° 45'E, thence to point 6 at a distance of 10.58 meters with bearing S 34° 10'E, thence to point 1, the point of beginning at a distance of 134.02 meters with bearing S 34° 10'E, all in all comprising a total area of 446,609.18 square meters more or less.”

SEC. 2. The Jose Panganiban Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 368

AMENDING EXECUTIVE ORDER 356 DATED 12 AUGUST 1996 WHICH PROVIDES FOR THE IMPLEMENTING GUIDELINES ON THE INSTITUTIONAL ARRANGEMENTS TO FASTTRACK SRA LOCALIZATION, TO INCLUDE THE NATIONAL COUNCIL ON THE ROLE OF THE FILIPINO WOMEN IN THE MEMBERSHIP OF THE SOCIAL REFORM COUNCIL

WHEREAS, Executive Order 356 dated 12 August 1996 provides for the expanded membership of the Social Reform Council and implementing guidelines on the institutional arrangements to fasttrack SRA Localization;

WHEREAS, there is a need to mainstream gender concerns in all SRA flagship programs as affirmed during the National Anti-Poverty Summit held last 19-20 March 1996;

WHEREAS, the President instructed the Social Reform Council to monitor the implementation of the commitment of the Philippine Government in the United Nations Fourth World Conference on Women relative to the Beijing Platform of Action;

WHEREAS, Executive Order No. 208 dated 10 October 1994, as amended by Executive Order No. 268 dated 04 August 1995, strengthened and reconstituted the National Commission on the Role of the Filipino Women to be the primary policy making and coordinating body of all women development programs and institutions;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amended Executive Order No. 356 to include the National Council on the Role of Filipino Women in the membership of the Social Reform Council.

This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 5th day of September, in the year of Our Lord Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 369
CREATING THE SOCIAL PROTECTION COORDINATING COMMITTEE TO HARMONIZE
AND COORDINATE SOCIAL PROTECTION POLICIES AND PROGRAMS

WHEREAS, the provision of and access to social protection is a basic strategy towards the realization of human development and a better quality of life for Filipinos—the overriding goals of the Medium-Term Philippine Development Plan;

WHEREAS, the Social Security Law (R.A. No. 1161, as amended), Revised Government Service Insurance Act (PD 1146, as amended), Revised Philippine Medical Care Act (PD 1579, as amended), and the law on Employees' Compensation found in the Labor Code of the Philippines (PD 442, as amended), particularly Articles 166-208A are the laws that govern the right of Filipinos to social security;

WHEREAS, the existing institutional and program framework for social protection, as provided for by law, needs to be rationalized in the light of present realities;

WHEREAS, the upgrading of social security benefits for workers and the expansion of coverage to include those in the informal sector are concerns raised in the 1996 National Tripartite Conference and the Master Plan of Operations of the Social Reform Agenda for the informal sector, respectively.

WHEREAS, it was resolved during the National Workshop on Social Security Protection on 30-31 July 1996, attended by policy level representatives from social security institutions, government, employers organizations, labor groups, NGOs and the informal sector that a body to harmonize and coordinate social security programs and policies be created.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. Coordinating Committee. A Social Protection Coordinating Committee, attached to the Office of the President, which shall harmonize and coordinate policies and programs on social protection is hereby created.

SEC. 2. Composition. The following shall compose the Committee:

Chairman	Executive Secretary
Co-Chairman	Secretary of the Department of Agrarian Reform
Vice-Chairman	Secretary of the Department of Labor and Employment
Members	Secretary of the Department of Finance
	Director-General of the National Economic Development Authority
	President and General Manager of the Government Service Insurance System
	Administrator of the Social Security System
	President of the Philippine Health Insurance Corporation

President and Chief Executive Officer of the Home Development Mutual Fund
Executive Director of the Employee's Compensation Commission
President of the Retirement and Separation Benefits System/Armed Forces of the Philippines
President of the Retirement and Separation Benefits System/Philippine National Police
One representative from the labor sector
One representative from the employer sector

The representatives of the labor and employer sectors shall be appointed by the President from among the nominees of their respective organizations.

SEC. 3. Responsibility of the Committee. The Committee shall undertake a complete and comprehensive review and study of the various social protection programs in the Philippines, including but not limited to, the programs being implemented by the SSS, GSIS, ECC, HDMF, the new Philippine Health Insurance Corporation, and the RSBS/AFP, with the end view of reforming, rationalizing and aligning them, taking into account the need of the people, on the one hand, and the prevailing social and economic conditions and available resources, on the other. Within six months from the issuance of this Executive Order, the Committee shall submit to the President its findings and recommendations.

SEC. 4. Technical Working Group. To assist the Committee, a Technical Working Group, chaired by the DOLE, is hereby created to conduct technical studies and researches and perform such work as may be assigned to it by the Committee. The Committee shall also establish a secretariat that will provide it administrative support.

The members of the Technical Working Group shall be determined by the Committee and, together with the personnel of the secretariat, shall be drawn from the existing staff of member institutions.

SEC. 5. Hiring of Experts. To ensure the comprehensiveness of the study as called for in this Executive Order, the Committee is authorized to hire the services of national or international experts or consultants, and to seek, as necessary, technical and/or financial assistance from relevant international organizations.

SEC. 6. Funding Support. To finance the operations of the Committee, including the payment of fees of experts and consultants, the members of the Committee shall appropriate the necessary budget from their respective institutions, on the basis of proportionate sharing.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 6th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 370
STRENGTHENING THE PHILIPPINE COUNCIL FOR SUSTAINABLE DEVELOPMENT

WHEREAS, the 1987 Constitution mandates as a policy of the State the protection and advancement of the right of the people to a balanced and healthful ecology in accordance with the rhythm and harmony of nature;

WHEREAS, the Philippines formally adopted sustainable development as a guiding principle in development efforts through the adoption of a national conservation strategy for sustainable development which was presented by the country during the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro;

WHEREAS, the UNCED adopted a resolution for the creation of a Sustainable Development Commission that will evaluate and monitor adherence to the agreements and commitments made in Rio and urged governments to form similar bodies that will ensure that activities at the national level are implemented and coordinated with global efforts;

WHEREAS, the creation of the Philippine Council for Sustainable Development (PCSD) on 01 September 1992, by virtue of Executive Order No. 15, is a manifestation of the country's adherence to the principles set forth in Rio and ensures that these commitments are implemented, periodically monitored and coordinated;

WHEREAS, the PCSD, through effective collaborative efforts with civil society and financial support from the United Nations Development Programme - Capacity 21 facility, initiated the formulation of the Philippine Agenda (PA) 21, a consensus document which is envisioned to guide the sustainable development path of the country;

WHEREAS, the PA 21, which is built upon the principles of subsidiary (self-governance), consensus building, open access and multi-stakeholdership, embodies the common resolve of government, business and the civil society to operationalize the sustainable development vision;

WHEREAS, the operationalization of the PA 21 requires the integration of the various overarching dimensions and components of sustainable development and the need for participation of government, business and civil society;

WHEREAS, it is necessary to strengthen the Philippine Council for Sustainable Development to institutionalize the support of other key sectors of the society and to further enhance its ability to coordinate planning and policy formulation, monitoring and evaluation in the pursuit of sustainable development;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Strengthening the PCSD.* The Philippine Council for Sustainable Development, hereafter referred to as the Council, is hereby strengthened, structurally and functionally, in accordance with the provisions of this Executive Order.

SEC. 2. *Composition of the Council.*

The Chairperson of the Council shall be the Secretary of Socio-Economic Planning as NEDA Director-General and Chair of the POPCOM Board of Commissioners, with the Secretary of the Department of Environment and Natural Resources (DENR) as Vice-Chairperson.

2. The members of the Council from government shall be regular officers from the following departments with a rank of director or higher, duly deputized to represent their respective secretaries and committed to the cause of sustainable development:
 - a. Department of Foreign Affairs
 - b. Department of Science and Technology
 - c. Department of Finance
 - d. Department of Agriculture
 - e. Department of Public Works and Highways
 - f. Department of Education, Culture and Sports
 - g. Department of Labor and Employment
 - h. Department of Health
 - i. Department of Trade and Industry
 - j. Department of Interior and Local Government
 - k. Department of Social Welfare and Development
 - l. Department of Budget and Management
 - m. Department of National Defense
 - n. Department of Energy
 - o. Department of Transportation and Communication
 - p. Department of Agrarian Reform
3. Civil society, composed of people's organizations, non-government organizations and sectoral/major groups representation shall have nine (9) Council members selected by their community, based on their commitment to sustainable development concerns, through a process designed by them. These shall include the following major groups: women, youth, farmers, fisherfolks, indigenous people, Moro and Cordillera people, urban poor, persons with disabilities, academe, professionals, media, religious groups and NGOs.
4. Labor and business shall have two (2) representatives each in the Council. Representation shall, likewise, be decided through a process to be designed by them.

The Council shall have the authority to invite any government agency or non-government entity as resource person.

SEC. 3. *Composition of the PCSD Committee.* In support of the PCSD, there shall be created under the Council four (4) committees corresponding to the 4 major areas of concern of the global Agenda 21. The government representatives to these committees shall be at least division chiefs in their respective agencies. When necessary, sub-committees may be created.

These committees and their composition shall be as follows:

1. Committee on Social and Economic Dimensions (CSED)

National Economic and Development Authority	Chairman
Department of Interior and Local Government	Members
Department of Environment and Natural Resources	
Department of Finance	
Department of Science and Technology	
Department of Agrarian Reform	
Department of Labor and Employment	
Department of Health	
Department of Social Welfare and Development	
Department of Trade and Industry	
Department of National Defense	
Department of Agriculture	
Department of Public Works and Highways	
Department of Education, Culture and Sports	
Commission on Population	
Housing and Urban Development Coordinating Council	
Representatives from business and civil society	

2. Committee on Conservation and Management of Resources for Development (CCMRD)

Department of Environment and Natural Resources	Chairman
Department of Science and Technology	Members
Department of Agriculture	
Department of Health	
Department of Interior and Local Government	
Department of Tourism	
Department of Agrarian Reform	
Department of Transportation and Communication	
Department of Energy	
Department of Trade and Industry	
Department of National Defense	
National Museum	
Representatives from business and civil society	

3. Committee on Strengthening the Role of Major Groups (CSRMG)

Department of Interior and Local Government	Chairman
National Economic and Development Authority	Members
Department of Environment and Natural Resources	
Department of Science and Technology	
Department of Labor and Employment	
Department of Agriculture	
Department of Education, Culture and Sports	
Department of Tourism	

Department of Agrarian Reform
 UP Institute of Environment and Science
 League of Provinces
 League of Cities
 League of Municipalities
 League of Barangays
 Representatives from business and civil society

4. Committee on Means of Implementation (CMI)

Department of Science and Technology	Chairman
National Economic and Development Authority	Members
Department of Public Works and Highways	
Department of Foreign Affairs	
Department of Finance	
Department of Education, Culture and Sports	
Department of Interior and Local Government	
Department of Environment and Natural Resources	
Department of Budget and Management	
Commission on Higher Education	
Philippine Information Agency	
Local Government Academy	
Representatives from business and civil society	

The composition of each committee may be expanded, reduced or reconstituted upon the recommendation of the concerned committee and approval by the Council.

Membership in the committees and sub-committees of the Council by members of the non-government community, including civil society, business and labor, shall be determined through a process designed by them. In each of these committees, there shall be a Co-chair, who shall not be from the government sector, to be elected by the committee members.

SEC. 4. Powers and Functions of the Council.

1. To review and ensure the implementation of the commitments made by the Philippines in the light of the UNCED and PA 21;
2. To establish guidelines and mechanisms that will expand, concretize and operationalize the sustainable development principles, as embodied in the Rio Declaration, the UNCED, Agenda 21, the National Conservation Strategy and the Philippine Agenda 21, and incorporate them in the preparation of the Medium-Term Philippine Development Plan, both at the national and local levels, with active participation from the non-government sector and people's organizations;
3. To formulate policy reforms, programs and projects and recommend new legislations that respond to continuing and emerging issues and charting future actions related to environment and sustainable development;
4. To provide policy advice to appropriate bodies on environment and sustainable development issues of national interest;

5. To institutionalize a mechanism that would ensure linkage with the legislative, executive, local government units, non-governmental organizations, business and other concerned entities/sectors, in the formulation of policies and decision-making on sustainable development concerns;
6. To act as the coordinating mechanism with the United Nations Commission on Sustainable Development (UNCSD), through the Department of Foreign Affairs (DFA), and actively solicit assistance and cooperation towards the realization of our commitment made at the UNCED;
7. To review and monitor plans, policies, programs and legislations on sustainable development and recommend mechanisms/strategies for promoting efficiency and timeliness of their execution;
8. To establish a networking mechanism to link with local and international organizations involved in sustainable development;
9. To call on any and all government agencies, resource persons and other groups, as necessary, in the performance of its role and functions;
10. To catalyze the formation and institutionalization of local councils for sustainable development in close coordination with local authorities;
11. To establish, reorganize or abolish committees of the Council; and
12. To perform such other acts which are necessary to carry out its mandated functions and responsibilities.

SEC. 5. *The Secretariat.* The Council shall be assisted by a Coordinating Secretariat which shall be based at the NEDA, the composition of which shall be determined by the Director-General, and a Counterpart Secretariat, the composition of which shall be determined by the People's/Non-Government Organization members of the Council.

SEC. 6. *Budget.* There shall be provided in the General Appropriations Act a regular line item under the NEDA budget to cover the operational requirements of the Council subject to the prescribed budgetary guidelines.

SEC. 7. *Repealing Clause.* All Executive Orders which are inconsistent with the provisions of this order are hereby repealed or amended accordingly.

SEC. 8. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day of Sept, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 371

PROCLAIMING A SPECIAL ZONE OF PEACE AND DEVELOPMENT IN THE SOUTHERN PHILIPPINES, AND ESTABLISHING THEREFOR THE SOUTHERN PHILIPPINES COUNCIL FOR PEACE AND DEVELOPMENT AND THE CONSULTATIVE ASSEMBLY

WHEREAS, the economic and social development of the country, especially the improvement of the living conditions of the underprivileged, is a primary task of Government;

WHEREAS, recent improvements in the standards of living and greater opportunities for economic development arising from our economic and social reform program have not fully benefited our brothers and sisters in some areas of the Southern Philippines;

WHEREAS, peace and development in the Southern Philippines will enable our people to enjoy their just share in the fruits of progress;

WHEREAS, the Government and the Moro National Liberation Front (MNLF) embarked on a peace process to attain a just, comprehensive, peaceful and lasting resolution of the internal armed conflict in the Southern Philippines;

WHEREAS, the peace process culminated in the signing of the Final Peace Agreement in Manila on 2 September 1996 between the Government and the MNLF thereby ending the decades-old conflict in Mindanao;

WHEREAS, there is a new window of opportunity to focus, promote and accelerate development efforts in the Southern Philippines arising from the signing of the Final Peace Agreement between the Government and the MNLF;

WHEREAS, the Final Peace Agreement calls for the establishment of a Special Zone of Peace and Development (ZOPAD) in the Southern Philippines wherein peace and development efforts shall be intensified;

WHEREAS, the Final Peace Agreement further calls for the establishment of the Southern Philippines Council for Peace and Development (SPCPD) and a Consultative Assembly (CA) that will coordinate, promote and accelerate the peace and development efforts in the ZOPAD; and

WHEREAS, Section 14 Article X of the 1987 Philippine Constitution states that: "The President shall provide for regional development councils or other similar bodies composed of local government officials, regional heads of departments and other government offices, and representatives from non-governmental organizations within the regions for purposes of administrative decentralization to strengthen the autonomy of units therein and to accelerate the economic and social growth and development of the units in the region."

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SEC. 1. PROCLAMATION OF A SPECIAL ZONE OF PEACE AND DEVELOPMENT (ZOPAD) IN THE SOUTHERN PHILIPPINES. There is hereby proclaimed a Special Zone of Peace

and Development (ZOPAD) in the Southern Philippines which shall be the focus of intensive peace and development efforts in the next three years. Investments shall be channeled to this area to spur economic activities and uplift the conditions of the people therein. The ZOPAD shall consist of the following:

The provinces of Basilan, Cotabato, Davao del Sur, Lanao del Norte, Lanao del Sur, Maguindanao, Palawan, Sarangani, Sultan Kudarat, Sulu, South Cotabato, Tawi-Tawi, Zamboanga del Norte, and Zamboanga del Sur; and

The cities of Cotabato, Dapitan, Dipolog, General Santos, Iligan, Marawi, Pagadian, Puerto Princesa, and Zamboanga.

SEC. 2. DEVELOPMENT EFFORTS IN THE ZOPAD. Within the next three years, the abovementioned areas covered by the ZOPAD shall be provided with the following development efforts:

Provision for basic services in the depressed areas of the ZOPAD, such as water, electricity, educational facilities, socialized housing, and health and sanitation, among others;

Provision for adequate infrastructure facilities to support the development requirements within the ZOPAD and enhance linkages with areas outside of it;

Promotion of investments and trade, both domestic and international, to generate employment and create opportunities for economic development;

Provision for entrepreneurial development support, livelihood assistance, and credit facilities so that those in the ZOPAD, especially the vulnerable sectors such as women, farmers and fisherfolk, unemployed, urban and rural poor, among others, shall have greater control over their economic destinies; and

- (e) Provision for capability-building assistance for local communities and organizations, especially women's groups, to take full advantage of development programs and projects in the ZOPAD.

SEC. 3. MEDIUM FOR DEVELOPMENT EFFORTS IN THE ZOPAD. Development efforts in the ZOPAD shall be carried out through the following:

Institutional mechanisms, such as the Southern Philippines Council for Peace and Development (SPCPD) to be hereby established, the Cabinet Officer for Regional Development (CORD) system, area-specific development task forces, regional development councils system, regional peace and order councils system, Southern Philippines Development Authority, and other institutional mechanisms which may be established; and

Existing development programs, such as but not limited to the BIMP-East ASEAN Growth Area, Social Reform Agenda localization programs, flagship projects, and Presidential Council for Countryside Development (PCCD) programs for priority provinces.

SEC. 4. PRIORITY AREAS AND PROJECTS. Development efforts in the ZOPAD shall give priority to the following areas:

Provinces in the area belonging to the 20 poorest provinces in the country (namely Basilan, Sulu, and Tawi-Tawi);

All 5th and 6th class municipalities in the provinces in the ZOPAD; and

Depressed communities within the towns and cities covered by the ZOPAD.

Projects to be implemented in the ZOPAD shall include the following:

- Human development projects, including but not limited to health and sanitation services, educational development, and welfare services, to promote the well-being of families in depressed communities and enhance their capabilities to participate in economic programs;
- (b) Socialized housing projects to address housing backlogs in priority areas;
 - Water supply development to provide potable water especially to depressed communities in the ZOPAD;
 - Roads and bridges to connect depressed communities to centers of economic activities and improve mobility of goods and service within the ZOPAD and between the ZOPAD and other growth centers;
 - Airports and seaports to address the needs of commuters and facilitate transport of products in the priority areas;
 - Telecommunications and power/electrification programs to support the increase in economic activities in the ZOPAD;
 - Development and promotion of tourism to harness the tourism potential and enhance appreciation and awareness of history and culture in the ZOPAD;
- h) Environmental and marine resources improvement program to protect and conserve natural resources in the ZOPAD;
- (i) Enhancement of agricultural production through irrigation and post-harvest and marketing facilities;
 - Establishment of food processing facilities to generate employment and create forward and backward economic linkages;
- (k) Establishment of Provincial Industrial Centers and People's Industrial Enterprises to serve as focal points for business activities and generate additional economic opportunities; and
 - People empowerment programs to ensure greater participation of women and other disadvantaged groups in governance and in the determination of their political, economic, and social destinies.

SEC. 5. ESTABLISHMENT OF THE SOUTHERN PHILIPPINES COUNCIL FOR PEACE AND DEVELOPMENT. There is hereby established in the Office of the President, a Southern Philippines Council for Peace and Development (SPCPD) to serve as a special and transitory body to coordinate and promote the economic and social growth and development of the ZOPAD. The SPCPD shall be subject to the control and supervision of the President. The powers and functions of the SPCPD shall be derivative and extension of the powers of the President, i.e., those powers of the President that could be delegated under the Constitution and existing laws. The Chairman of the SPCPD shall submit to the President, in consultation with the Consultative Assembly, the SPCPD's plans and programs, annual development reports and other documents on the ZOPAD.

SEC. 6. COMPOSITION OF THE SPCPD. The SPCPD shall be composed of one Chairperson, one Vice-Chairperson and three Deputies. For the effective coordination of programs in the area, the Chairperson shall be designated by the President from among the governors in the ZOPAD, including the Governor of the Autonomous Region in Muslim Mindanao (ARMM). The other members of SPCPD shall also be designated by the President from among the heads of departments or other government offices and representatives of non-government organizations within the ZOPAD.

SEC. 7. FUNCTIONS OF THE SPCPD. The SPCPD shall promote and coordinate peace and development efforts in the ZOPAD. In particular, the SPCPD shall have the following functions:

-
- (a) To take charge in promoting, monitoring, and coordinating the improvement of peace and order in the ZOPAD;
 - (b) To focus on peace and development efforts more particularly in the depressed areas of the ZOPAD and cause the implementation of peace and development projects;
To provide support to local government units as necessary;
To exercise such other powers and functions necessary for the effective implementation of its mandate as may be delegated by the President;
 - (c) To assist in the preparation for the holding of elections, referenda or plebiscite and people's initiative in the ZOPAD as may duly deputized by the Commission on Elections (COMELEC); and
To cause the creation of such offices or instrumentalities as shall be necessary for the effective and efficient administration of the affairs of the areas. There shall be approval from the Office of the President for budgetary purposes.

The offices or instrumentalities referred to above are those internal to the SPCPD such as administrative or support staff necessary for SPCPD to efficiently and effectively function, or such ad hoc committees that may be formed from existing government personnel and representatives of non-governmental organizations or people's organizations to effectively promote the programs and projects in the ZOPAD.

SEC. 8. ROLE OF SPCPD WITH RESPECT TO DEVELOPMENT CONCERNS. With respect to development concerns in ZOPAD, the SPCPD shall undertake the following additional tasks:

- Promote, coordinate, and monitor development efforts in the ZOPAD, including the encouragement of domestic and foreign investments, subject to existing laws, especially from the Organization of Islamic Conference and the Association of Southeast Asian Nations;
- (b) Network with government and other development institutions to generate resources and economic opportunities for the ZOPAD; and
 - (c) Coordinate for the Office of the President with concerned departments and local government units in the promotion and the implementation of the programs and projects of the following agencies, namely: the Southern Philippines Development Authority (SPDA), the Office of Muslim Affairs (OMA), and the Office of Southern Cultural Communities (OSCC), only insofar as their respective offices or projects located in the ZOPAD are concerned; and the Basilan Development Task Force, the Central Mindanao Development Task Force, the Sulu Development Task Force, and the Special Development Planning Task Group.

SEC. 9. ROLE OF SPCPD WITH RESPECT TO PEACE AND ORDER CONCERNS. The SPCPD shall promote, coordinate and monitor the improvement of peace and order in the ZOPAD, as follows:

- Monitor the implementation of peace and order and public safety measures in the area;
Hold consultative meetings and disseminate vital information pertaining to peace and order in the area;
- (c) Conduct advocacy and public information to drive to enhance public support for law and order in the area;
Keep itself informed of peace and order programs and situation obtaining in the area, through coordination with military and police forces, and request such police or military forces to address specific contingencies in accordance with law, provided however, that the control and supervision
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of the police and the military forces shall remain and continue to be vested in their respective chains of command under existing laws; and

Submit reports and make recommendations to the President on matters pertaining to peace and order in the ZOPAD, in coordination with the Consultative Assembly.

SEC. 10. SUPPORT AND ASSISTANCE OF GOVERNMENT AGENCIES ON PEACE AND DEVELOPMENT EFFORTS IN THE ZOPAD. All departments, agencies, and instrumentalities of government, including government-owned and controlled corporations, are hereby directed to provide the necessary support for the successful and timely implementation of the above-mentioned programs, projects and concerns in the ZOPAD, in coordination with the SPCPD.

SEC. 11. ESTABLISHMENT OF THE CONSULTATIVE ASSEMBLY. There is hereby established a Consultative Assembly to serve as an advisory body to the SPCPD in the development of the ZOPAD. The Assembly shall be transitory and shall be under the control and supervision of the President.

SEC. 12. COMPOSITION OF THE CONSULTATIVE ASSEMBLY. The Consultative Assembly shall be composed of the following:

Chairperson of the SPCPD, who shall be the presiding officer of the Consultative Assembly;
The Governor and Vice-Governor of the ARMM and fourteen (14) Governors of the provinces and nine (9) City Mayors in the ZOPAD; and
Fifty-five (55) members from various sectors, including recommendees of non-government organizations (NGO's), and people's organizations (POs).

SEC. 13. FUNCTIONS OF THE CONSULTATIVE ASSEMBLY. The Consultative Assembly shall have the following functions:

To serve as a forum for consultation and ventilation of issues and concerns;
To conduct public hearings as may be necessary and to provide appropriate advice to the SPCPD;
and
To formulate and recommend policies to the President through the Chairperson of the SPCPD and adopt rules and regulations to the extent necessary for the efficient and effective administration of the affairs of the area.
The rules and regulations referred to above pertain only to the internal affairs and procedures of the SPCPD and the Assembly, in order to promote the efficient, effective, and orderly performance of their functions. Such rules and regulations shall be submitted to the President for approval.

SEC. 14. DURATION OF EXISTENCE OF THE SPCPD AND THE CONSULTATIVE ASSEMBLY. The SPCPD and the Consultative Assembly shall exist for a period of three years from the effectivity of this Order unless extended by the President.

SEC. 15. EFFECT ON LOCAL GOVERNMENT UNITS. Nothing in this Executive Order shall affect the existence or diminish the powers and functions under existing laws of all local government units in the ZOPAD, including the Autonomous Region in Muslim Mindanao.

SEC. 16. FUNDING. Funds for the operations of the SPCPD and the Consultative Assembly shall be sourced from the Office of the President and from such other funding sources as may be recommended by the Department of Budget and Management.

SEC. 17. SEPARABILITY CLAUSE. If any part or provision of this Executive Order is held invalid or unconstitutional, the other parts or provisions not affected thereby shall remain valid and effective.

SEC. 18. EFFECTIVITY CLAUSE. This Executive Order shall take effect fifteen (15) days after its publication in two newspapers of national circulation.

DONE, in the City of Manila, this 2nd day of October, in the Year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 372
CREATION OF A COORDINATING TASK FORCE FOR THE ESTABLISHMENT
OF THE NORTH FOOD TERMINAL COMPLEX IN BULACAN

WHEREAS, it is the primary concern of the government to support countryside development and agri-based industrialization projects leading to the realization of the vision of Philippines 2000;

WHEREAS, it is a national policy of the government to ensure the food security of the nation by encouraging the efficient production, processing, marketing and distribution of food crops, livestock, marine products, fruits and vegetables;

WHEREAS, it is also a national policy to encourage the dispersal of industrial, commercial and financial businesses to the countryside;

WHEREAS, there is a need to decongest the National Capital Region, particularly of industries and agro-processing and related services so as to relieve Metro Manila of activities that could otherwise be efficiently situated in its periphery and thus prevent the deterioration of its economic, social and infrastructure systems;

WHEREAS, local government units are encouraged and empowered under the Local Government Code to initiate and implement developmental projects for the benefit and welfare of their respective communities, in particular, and of the nation as a whole;

WHEREAS, the provincial government of Bulacan has conceptualized and recommended the setting up of a North Food Terminal Complex (NFTC) in the province which will replicate the success of the Food Terminal, Inc. located in Taguig, Metro Manila.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the creation of a Coordinating Task Force to be chaired by the Governor of the Province of Bulacan with representatives from the Department of Agriculture, the Department of Trade and Industry, the Department of Agrarian Reform, the Department of Environment and Natural Resources, the Department of Public Works and Highways, and the Philippine Economic Zone Authority, as members, for the purpose of coordinating the execution and implementation of the proposed North Food Terminal Complex (NFTC) in Bulacan.

The Task Force is hereby authorized to call on the assistance of national government agencies and offices whose advice, talents and technical expertise may be needed for the successful prosecution of its objectives, within the limits of the agencies' respective mandates and to the extent allowed by law. The Governor of Bulacan is likewise mandated to steer the Task Force for an early completion of the NFTC's detailed feasibility studies, its funding requirements and timetable of implementation. Forthwith, the Task Force shall submit its recommendations to the Office of the President.

DONE in the City of Manila, this 9th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 373

FURTHER AMENDING EXECUTIVE ORDER NO. 175 DATED 30 APRIL 1994,
AS AMENDED BY EO 223, DATED 7 FEBRUARY 1975, EO 229 DATED
19 MARCH 1995 AND EO 259 DATED 11 JULY 1995 WHICH CREATED A
NORTHWESTERN LUZON GROWTH QUADRANGLE COMMISSION

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law, do hereby further amend Section 1 of Executive Order No. 175, dated 30 April 1994 as amended by EO 223, dated 7 February 1995. Executive Order No. 229, dated March 19, 1995, and Executive Order No. 259, dated July 11, 1995 which created a Northwestern Luzon Growth Quadrangle Commission, to include the Province of Abra in its coverage and to include the Governor of the Province of Abra as a member of the Northwestern Luzon Growth Quadrangle (NWLQG) Commission.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 374
CREATING THE PRESIDENTIAL TASK FORCE ON
WATER RESOURCES DEVELOPMENT AND MANAGEMENT

WHEREAS, it is the policy of the State to ensure sustainable, adequate, safe and affordable water supply to meet the requirements of the country's development;

WHEREAS, growing contamination and pollution limits the available water supply to meet the present and future requirements of the population and water consuming sectors of economy;

WHEREAS, the development and management of our water resources requires the efficient rationalization of the competing demands for such resources;

WHEREAS, the timely and effective provision of the needed infrastructure and organizational support are essential for ensuring the widest access to water resources by these sectors;

WHEREAS, there is a need for an apex body that will oversee and coordinate government policies and programs to enhance the development and management of water resources.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of the Presidential Task Force on Water Resources Management.* There is hereby created a Presidential Task Force to ensure the efficient development and management of the country's water resources.

SEC. 2. *Composition.* The Task Force shall have the following composition:

Chairman	Secretary, Department of Environment and Natural Resources
Vice Chairman	Chairman, National Water Resources Board
Members	Secretary, Department of Energy
	Secretary, Department of Health
	Secretary, Department of Agriculture
	Secretary, Department of Interior and Local Government
	President, League of Provinces
	President, League of Municipalities
	Administrator, MWSS
	Administrator, LWUA
	Three (3) representatives from the private sector, preferably from the environmentalist, water management and consumer groups to be designated by the task Force Chairman

SEC. 3. *Powers and Functions.* The Task Force shall serve as an oversight body for ensuring the efficient sourcing and use of water resources, in particular the provision of policy and program recommendations on the following:

-
- a. Water supply planning and coordination, including the efficient allocation of water resources to its different users;
 - b. Prioritization of programs and projects critical for ensuring sustainable, adequate, safe and affordable water supply;
 - c. Coordination and monitoring of water policies and programs; and
 - d. Pricing policies on water resources.

The Task Force shall also perform such other functions as may be assigned to it by the President.

SEC. 4. Secretariat. The DENR shall provide secretariat support of the Task Force. To meet technical requirements of Task Force, the DENR may also tap the technical assistance of other government agencies.

SEC. 5. Reports. The Task Force shall submit a quarterly report to the President on its activities, including the status of implementation of the critical water policies, programs and projects.

Section 6. Funding. The amount of P50 Million for the organization and operation of the Task Force, to include its regional, provincial and community components and its secretariat, for the current year shall be provided from the savings/reserves of the Department of Budget and Management and the Office of the President. Thereafter, the yearly budget of the Task Force shall be sourced from the contributions of its member Agencies.

Section 7. Repealing Clause. All executive issuances, orders, rules and regulations and/or similar issuances inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Section 8. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 15th Day of October, in the Year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 375

**CREATING A SPECIAL COMMITTEE TO TAKE CHARGE OF THE PREPARATIONS FOR THE
CENTENNIAL OF THE BIRTH ANNIVERSARY OF GERONIMA TOMELDEN PECSON**

WHEREAS, Geronima Tomelden Pecson is one of our illustrious Filipinos who blazed the hitherto uncharted trails for women in the fields of education, culture and sports both locally and internationally;

WHEREAS, in 1947 Geronima T. Pecson became the first and only woman member of the Board of Directors of the Philippine Amateur Athletic Association;

WHEREAS, also in 1947 Geronima T. Pecson was elected first woman Senator of the Philippines where she distinguished herself with authorship and/or sponsorship of landmark bills enacted into laws on education, social, cultural, sports, women and youth, and agriculture, among other important legislations;

WHEREAS, in 1950 Geronima T. Pecson was elected by the delegates from the 60 member nations of UNESCO as the first Filipino and woman member of the Executive Board of that international agency of the United Nations which she served with distinction for eight years;

WHEREAS, on January 26, 1989 UNESCO Director-General Federico Mayor in a testimonial plaque to Geronima T. Pecson in cognizance “of her more than three decades of untiring, outstanding and exemplary support to UNESCO in spirit and in deeds” said in Part:

“In recognition of exceptional services to her country and people as a model teacher, educator and school administrator . . . as uncompromising champion of youth development as exemplified in having founded in 1966 the Foundation for Youth Development in the Philippines . . . and as a dedicated social worker to the amelioration of the lives of the underprivileged . . . With deep respect for the unfailing resilience of her human spirit inspired by her genuine love for humanity as a whole and her abiding dedication with the millions of people left in illiteracy and despondency, as well as her sagacity, sincerity, simplicity, and force of creativity, which have earned her the distinction of being known to many as ‘Mother UNESCO.’ ”

WHEREAS, December 19, 1996 will mark the centennial of the birth anniversary of this great Filipino woman and it is only fitting that such significant event be commemorated and celebrated with fitting programs, activities and projects not only in her home province of Pangasinan in Luzon but also in the Visayas and Mindanao;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order as follows:

SECTION 1. A Special Committee is hereby created to take charge of the nationwide preparations to commemorate the centennial of the birth anniversary of Geronima Tomelden Pecson on December 19, 1996, to be composed of the following:

- | | | |
|---|---|------------------|
| 1. Secretary Ricardo T. Gloria
Department of Education, Culture and Sports | – | Chairman |
| 2. Hon. Salvador H. Laurel
Chairman, National Centennial Commission | – | Co-Chairman |
| 3. Dr. Serafin D. Quiason
National Historical Institute | – | Vice-Chairman |
| 4. Mr. Dante G. Santos
Chairman, Board of Trustees
Foundation for Youth Development in the Philippines | – | Co-Vice-Chairman |
| 5. Governor Oscar Orbos
Province of Pangasinan | – | Member |
| 6. Amb. Lourdes R. Quisumbing
(Secretary, FYDP Board of Trustees)
Secretary-General, UNESCO National Commission of the Philippines | – | Member |
| 7. Ms. Carmen D. Padilla
Acting Chairman, National Commission for Culture and Arts | – | Member |
| 8. Mrs. Nona S. Ricafort
National Council of Women of the Philippines | – | Member |
| 9. Mrs. Purita R. A. Braganza
Member, Board of Regents
Pangasinan State University, and Regional Director for Northern Luzon Girl Scouts of the Philippines | – | Member |
| 10. Ms. Aminah Rasul Bernardo
Presidential Adviser on Youth Affairs, and
Chairman, National Youth Organization | – | Member |
| 11. Mrs. Loreto T. Herrera
Treasurer, National Federation of Women's Clubs of the Philippines
(Only living sister of late Senator Geronima T. Pecson) | – | Member |

The Committee, in coordination with all agencies concerned, is hereby designated to take charge of the celebration and to undertake the following activities:

- a. Prepare the general program of the Centennial and submit a copy of the same to the President for information;
 - b. Promote and direct an appropriate symposium on the life of Geronima Tomelden Pecson either in Manila or in Pangasinan;
 - c. Prepare and publish a comprehensive biography of Geronima Tomelden Pecson; and
 - d. Install a fitting and inspiring monument in honor of the late Senator Geronima Tomelden Pecson in her birth place of Lingayen, Pangasinan.
-

SEC. 2. The Committee shall be provided with technical and administrative support to be composed of detailed personnel from the National Historical Institute, the National Commission for Culture and the Arts, and the National Centennial Commission.

SEC. 3. The Committee shall be funded with an initial budget to be drawn from the President's Contingent Fund, in an amount to be recommended by the Committee and approved by the President.

SEC. 4. The Committee shall be an ad hoc body and its existence shall terminate upon the completion of all the activities, programs and projects related to the centennial of the birth anniversary of Geronima Tomelden Pecson.

SEC. 5. This Order shall take effect immediately.

Done in the City of Manila, this 25th day of October, in the year of Our Lord, nineteen hundred and ninety six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 376

**AUTHORIZING THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT TO
ESTABLISH, MANAGE AND OPERATE A SKILLS TRAINING CENTER FOR DISABLED
AND STREET CHILDREN AT THE ELSIE GACHES VILLAGE**

WHEREAS, a parcel of land identified as Lot No. 1996 of the Muntinlupa Estate Subdivision, situated in Barrio Muntinglupa, Rizal (now Muntinlupa City), consisting of sixteen (16) hectares, more or less, together with all the buildings and improvements thereon, was donated by Mr. Samuel F. Gaches to the Commonwealth of the Philippines (Republic of the Philippines) on 19 December 1940;

WHEREAS, the aforesaid Deed of Donation was executed subject to the conditions that the above described property shall be “FOR EXCLUSIVE BENEFIT OF THE COMMONWEALTH OF THE PHILIPPINES (REPUBLIC OF THE PHILIPPINES) TO BE USED AS HOSPITAL SITE FOR CRIPPLED CHILDREN, AND A HOME FOR THE POOR IN THEIR OLD AGE, OR FOR ANY OTHER PURPOSES OF THE SAME NATURE AS THE PRESIDENT OF THE PHILIPPINES MAY DETERMINE;”

WHEREAS, it is the policy of the state to promote the well-being and total development of children and the youth, to protect them from exploitation, abuse, improper influence, hazards and other circumstances prejudicial to their physical, mental, emotional, social and moral development;

WHEREAS, Republic Act No. 7610, otherwise known as the Special Protection of Children Against Child Abuse, Exploitation and Discrimination, was approved on 17 June 1992, which provides, among others, that the State shall protect and rehabilitate children gravely threatened or endangered by circumstances which will affect their survival and normal development and over which they have no control.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Department of Social Welfare and Development to establish, manage and operate a Skills Training Center for the Street Children and Disabled Children, with the participation and involvement of Non-Governmental Organizations (NGOs) at the Elsie Gaches Village.

Done in the City of Manila, this 29th day of October, in the year of Our Lord, nineteen hundred and ninety six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 377
PROVIDING THE INSTITUTIONAL FRAMEWORK FOR THE ADMINISTRATION
OF THE DEREGULATED LOCAL DOWNSTREAM OIL INDUSTRY

WHEREAS, Republic Act No. 8180, otherwise known as the “Downstream Oil Industry Deregulation Act of 1996”, provides for the deregulation of all activities of the downstream oil industry in the country to foster competitive market and achieve the social policy objectives of fair prices and adequate, continuous supply of environmentally-clean and high-quality petroleum products;

WHEREAS, the effective and efficient administration of the deregulated local downstream oil industry involves the participation and coordination of various agencies as required under the Implementing Rules and Regulations of the Act;

WHEREAS, there is need to provide an institutional framework for the administration of the industry in order to define and delineate the functions and responsibilities of these agencies.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by the powers vested in me by law, do hereby establish the delineation of agency functions and responsibilities as the institutional framework for the administration of the deregulated local downstream oil industry:

Section 1. Delineation of Agency Functions and Responsibilities. The functions and responsibilities of agencies are delineated as follows:

- 1.1 Overall Administration.** The Department of Energy (DOE) shall be the lead agency in the administration of the deregulated local downstream oil industry. It shall serve as the oversight body which will integrate and coordinate the implementation of policies and programs affecting the industry. It shall be responsible for the overall monitoring of the downstream oil industry, including the monitoring and publication of daily international oil prices, to ensure the security and continuity of oil supply as well as the compliance of petroleum businesses with quality, safety and environmental standards and fair trade regulations.
- 1.2. Standards Setting.** The government shall prescribe the appropriate quality, safety and environmental standards for petroleum products, downstream facilities and processes as well as set guidelines governing fair trade practices in the local downstream oil industry through the following agencies:
 - a. Department of Trade and Industry (DTI)** shall establish and update, in coordination with the DOE, the Philippine National Standards (PNS) on quality and safety of petroleum products, including that of materials, equipment and facilities related to petroleum products such as storage tanks, LPG refilling plants and cylinders, valves and regulators; methods of requalification of cylinders; and codes of practices for gas stations. Along with this, the DTI shall undertake the following:

Enforce the existing PNS in coordination with the DOE, LGUs and other concerned agencies and sectors;
Provide measures to promote and ensure fair trade practices; and
Encourage investments in the downstream oil sector.

- b. **Department of Science and Technology (DOST)** shall prescribe the calibration and verification intervals of all measuring instruments used in petroleum products. Towards this, the DOTC shall initiate the following:

Evaluate and accredit the laboratories of the municipalities performing the calibration and verification of tank lorries, road tankers, storage tanks, flow meters, calibrating buckets, and weighing scales;

- (2) Assist the municipalities in calibrating these measuring instruments; and
- (3) Calibrate the reference standards of accredited laboratories, such as proving tanks, provers, master meter and test weighs.

- c. **Department of Environment and Natural Resources (DENR)** shall prescribe the environmental standards for petroleum products and related activities thereto. In this regard, the DENR shall undertake the following:

Review, evaluate and issue environmental compliance certificate to petroleum businesses;

Issue permit to construct and operate petroleum facilities engaged in the recycling, re-refining and re-processing of oil/petroleum products; and that for air and water pollution control installations and devices as may be required in certain aspects of the downstream oil businesses pursuant to RA 6969 (An Act to Control Toxic Substances and Hazardous and Nuclear Wastes) and PD 984 (Pollution Control Law); and

- 3 Monitor emissions, effluents, and the compliance of petroleum businesses with environmental standards and regulations, including the application of sanctions for violation of rules and regulations thereof.

- d. **Department of Health (DOH)** shall prescribe the allowable level of toxicity to health as regards the emissions of particulates and harmful substances accruing from the manufacturing, use and combustion of petroleum products. In line with this, the DOH shall undertake the following:

- (1) Issue the necessary health and safety guidelines on toxicity level;
Provide health advisory services, information and education related to the effects of petroleum and petroleum products on humans; and
Conduct continuing studies on these effects towards determining measures to address them.

- e. **Department of Labor and Employment (DOLE)** shall set and enforce standards for the protection and safety of workers during their employment in any petroleum facility. In this regard, the DOLE shall undertake the following:
-

Enforce the requirements for the operation of pressure vessels used in business and in the issuance of certificate of safety of electrical and wiring system for petroleum facilities;

Develop guidelines for handling and storage procedures in petroleum businesses to ensure the safety of work force and the public in general; and

Formulate and implement programs and information dissemination activities to enhance workers' and employers' awareness on the health risks involved in storage, handling and distribution of petroleum products, including safety measures in dealing with emergency situations.

- f. **Department of Transportation and Communication (DOTC)** shall set the standards for safety and roadworthiness/seaworthiness of petroleum carriers such as trucks, haulers, tankers and barges, including their allowable gas emission levels. It shall also set, in coordination with the DOE, the quality standards for fuels used in air transport. In addition, the DOTC shall pursue the following:

1. Regulate routes of service, zones or areas of operation of tank trucks and other petroleum transport facilities; and
Establish fare rates for land and sea transport taking into consideration the price in the international market of oil.

- 1.3. **Enforcement.** The government shall enforce quality and safety standards for petroleum products, carriers and downstream oil facilities. As such, the following agencies shall ensure the compliance of petroleum businesses with these standards, including their strict adherence to fair trade regulations so as to prevent cartelization and monopolies:

- a. **Department of Interior and Local Government (DILG)** shall, in coordination with national agencies, ensure the compliance of petroleum businesses with prescribed quality, safety and environmental standards on fuel, downstream oil facilities and labor to ensure the protection of localities hosting petroleum facilities. Towards this, the DILG shall undertake the following:

- (1) Strictly enforce the provisions of PD 1185 (Fire Code of the Philippines) on safety measures regarding the use, storage and handling of petroleum products and downstream oil facilities; and
- (2) Issue corresponding permits for storage, conveyance, installation of tanks and containers, including other petroleum facilities.

- b. **Department of Public Works and Highways (DPWH)** shall enforce the provisions of the National Building Code to ensure the adherence of all downstream oil industry infrastructure to safety standards thereto.

- c. **Philippine Economic Zone Authority (PEZA) and the Subic Bay Metropolitan Authority (SBMA)** shall enforce laws to prevent smuggling and dumping of petroleum products in Special Economic Zones, including the rules and regulations of the DOE with regard to the lifting of shipments to or from the Zone.

-
- d. **Department of Finance (DOF)** shall be responsible for the proper application of import tariff duties on petroleum and related goods/products. In this regard, it shall vigorously undertake the following:

- 1 Collect taxes, duties and other charges due;
- (2) Enforce the pertinent provisions of the Oil Industry Deregulation Act on the importation, exportation, re-exportation and bunkering of petroleum products within the purview of the Tariff and Customs Code and related laws; and
- (3) Monitor and enforce quality as well as the environmental standards on imported oil.

- e. **Department of Justice (DOJ)** shall, in its capacity as member of the DOE-DOJ Task Force, adjudicate cases of cartelization, overpricing and predatory pricing of petroleum products.
- f. **Department of National Defense (DND)** shall curb the illegal entry and smuggling of petroleum products and related facilities into the country. It shall also prevent and control maritime pollution through inspection of vessel design and equipment, oil transfer procedures and operation, and communications requirement.
- g. **Energy Regulatory Board (ERB)** shall, upon the implementation of the full deregulation phase of the downstream oil industry, be responsible for fixing and regulating the rate of schedule or prices of piped gas to be charged by duly franchised gas companies which distribute gas by means of underground pipe system.

- 1.4. **Policy Support.** The **National Economic and Development Authority (NEDA)** shall conduct studies on the social, economic and financial impact of changes in prices of petroleum products. These shall serve as inputs to policy formulation for and review of downstream industry.

- 1.5. **Transition Pricing.** During the transition phase of the deregulation, the pricing of petroleum products shall be the responsibility of the **Energy Regulatory Board (ERB)**, in particular the following:

- a Setting, reviewing and resetting of the wholesale posted domestic prices of petroleum products based on the approved automatic pricing formula;
- b Maintaining the current margin of dealers and the rates charged by water transport operators, haulers, fillers and pipeline concessionaires, and prescribing the formula automatically setting the rates of the same; and
- c Issuing appropriate Order requiring payment of additional amount to be imposed on petroleum products to augment the resources of the Oil Price Stabilization Fund to persons or companies engaged in the business of importing, manufacturing or marketing petroleum products, including those directly importing petroleum products for their own use.

Section 2. Reportorial Requirements. The concerned Departments and Agencies shall submit at least a quarterly report to the DOE on their activities in discharging their respective functions and responsibilities relative to the deregulated local downstream oil industry, including developments thereto which may require government action.

Section 3. Repealing Clause. All orders, issuances, rules and regulations or parts thereof inconsistent with this Order are hereby repealed or modified accordingly.

Section 4. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 31st day of October, in the Year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 378

DECLARING THE PERIOD FROM NOVEMBER 15 TO 30, 1996 AS SPECIAL APEC - PHILIPPINES CONSCIOUSNESS PROMOTION PERIOD AND AUTHORIZING THE CONDUCT OF SPECIAL TOURISM RELATED ACTIVITIES IN THE SUBIC BAY FREEPORT ZONE IN CONJUNCTION WITH THE ASIA-PACIFIC ECONOMIC COOPERATION CONFERENCE

WHEREAS, the Asia Pacific Economic Cooperation (APEC) conference will be hosted in the Subic Bay Freeport Zone from November 22 to 26, 1996;

WHEREAS, there is a need to heighten public awareness on the importance of the said conference and, at the same time, showcase to the Filipino, as well as the international community, the country's culture, craftsmanship, industry and vibrant economy;

WHEREAS, the APEC conference in Subic is an exception venue for showcasing the competitiveness of Filipino products with foreign-manufactured items.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. The period from November 15 to 30, 1996 is hereby declared a Special APEC - Philippines Consciousness Promotion Period. Towards this end, the appropriate government agencies shall adopt and implement measures designed to fast-track APEC-related promotional activities in SBMA.

SEC. 2. The Department of Tourism (DOT), in coordination with the SBMA, shall conduct a special and intensive tourism program focusing on the APEC's importance to the country and the people. The DOT is hereby authorized to call on the Department of Trade and Industry and duty-free stores in the Subic Bay Freeport Zone, to showcase Filipino competitive products alongside foreign products sold therein.

SEC. 3. Subject to the existing limitations on allowable items to be sold, Filipinos, 15 years of age or over, are hereby extended a limited duty-free shopping privilege to purchase and bring out of the Subic Bay Freeport Zone, consumer items not exceeding US \$ 100.00 in value during the period of November 15 to 30, 1996.

SEC. 4. Zone residents, foreign tourists, balikbayans, overseas contract workers and returning residents (from abroad) shall be entitled to the same tax and duty-free privileges they presently enjoy.

SEC. 5. The sale of tax and duty-free consumer items under this Order shall be allowed only in duly authorized duty-free shops jointly regulated by the Bureau of Customs and the SBMA to ensure proper accounting of sales.

SEC. 6. The Departments of Tourism, Trade and Industry and Finance/Bureau of Customs shall, in coordination with the Subic Bay Metropolitan Authority, promulgate and adopt the rules and regulations to implement this Order.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 379
APPOINTING THE PHILIPPINE NETWORK OF SMALL AND MEDIUM ENTERPRISES
(PhilSME) TO MANAGE THE APEC CENTER FOR TECHNOLOGY EXCHANGE
AND TRAINING FOR SMEs (ACTETSME)

WHEREAS, the ACTETSME has been established in Los Baños, Laguna, Philippines, to be the regional center that will disseminate information, facilitate market linkages and promote technology transfer among nationals and small and medium enterprises (SMEs) of APEC member-economies through networking;

WHEREAS, the designated Project Executing Office will have to turn over the operation of ACTETSME to a duly-mandated organization that will manage the ACTETSME in accordance with its objectives, mission and vision on or before 01 March 1997;

WHEREAS, the Philippine Network of Small and Medium Enterprises (PhilSME), a private foundation consisting of a select group of industry associations, business chambers and professional organization with SME orientation, has been organized in January, 1996 to work for a closer and more effective coordination of SME-to-SME contracts and related business development mechanisms;

WHEREAS, PhilSME has the collective experience and expertise of its membership to jumpstart the operation of a new venture, such as the ACTETSME;

WHEREAS, PhilSME has expressed its Willingness to cooperate in and commit its resources to initiatives pertaining to the promotion, development and growth of SMEs in the Philippines and the region as well.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby appoint the Philippine Network of Small and Medium Enterprises to manage the APEC Center for Technology Exchange and Training for SMEs (ACTETSME) effective 01 January – 31 December 1997.

To properly carry out its managerial and administrative functions in ACTETSME, PhilSME is hereby authorized to recruit and employ the required management, staff and support personnel and may call upon any government agency or local government for assistance.

PhilSME is also authorized to be given the right to lease the ACTETSME building at the University of the Philippines in Los Baños and all equipment, furnishings and facilities contained therein at a nominal rate of ₱1.00 per year until such time that an ACTETSME organization which is international in character has been duly established.

PhilSME shall, in coordination with the Small and Medium Enterprise Development Council (SMED), study and identify the appropriate distribution of and the expected output or results from a fund allocation of ₱30 Million for the year 1997 to be provided by the Government through the SMED Council for ACTETSME's operations.

PhilSME shall enter into an agreement with the SMED Council specifying their respective duties and responsibilities in the management and operation of ACTETSME and the former will be accountable to the latter as far as outputs and results are concerned.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and ninety six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 380
CREATING THE INDUSTRY DEVELOPMENT COUNCIL,
DEFINING ITS COMPOSITION, POWERS AND FUNCTIONS

WHEREAS, it is a declared policy of the government to ensure the development of industries with extensive domestic value-added as the key to a sustained and balanced agri-industrial Philippine economic growth;

WHEREAS, in order to sustain the current economic growth rate of the country leading to attainment of the status of a Newly Industrializing Country by the year 2000, it is imperative that Philippine industries should be globally competitive;

WHEREAS, the government has likewise identified a strong growth in export as the key to national survival;

WHEREAS, a strong export growth can only be sustained by the development of industry;

WHEREAS, there is a need for a concerned and collective effort of the government and private sectors to create a favorable business climate that will enhance growth and expansion of the country's industries.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Industrial Development Council.* - There is hereby created an Industrial Development Council hereinafter referred to as the "Council".

SEC. 2. *Composition.* - The Council shall be composed of the following:

- | | |
|---|---------------|
| a. Secretary of Trade and Industry | Chairman |
| b. Presidents of Philippine Chamber of Commerce and Industry, Inc.
and Federation of Philippine Industries, Inc. | Vice-Chairmen |
| c. Secretary of Finance | Member |
| d. Secretary of Agriculture | Member |
| e. Secretary of Foreign Affairs | Member |
| f. Secretary of Science and Technology | Member |
| g. Secretary of Labor and Employment | Member |
| h. Director General of the National Economic and
Development Authority | Member |
| Governor of the Bangko Sentral ng Pilipinas | Member |
| Seven (7) Representatives of the Private Sectors | Member |

A permanent representative from the Office of the President shall be present during all council meetings.

The representatives from the private sectors shall be recommended by the accredited organization thru the Secretary of Trade and Industry for appointment by the President. The private sector representatives of the Council shall serve for a period of two (2) years. When a vacancy arises due to the resignation, death or incapacity of a member, a replacement who shall serve for the remainder of the member's term of office shall be appointed by the President.

Other Heads of the Executive Department and Agencies, private organizations or individuals can be called upon by the Council to resolve issues and problems that concern their respective offices.

SEC. 3. *Powers and Functions.* - The Council shall:

- a. Recommend approval of the Industrial Development Plan of the Philippine (IDPP) which plan shall be congruous and compatible with the Philippine Export Development Plan (PEDP) and its integration into the Medium-Term Philippine Development Plan (MTPDP); coordinate, monitor and assess the implementation thereof, and, when necessary, institute appropriate adjustment thereon in the light of changing conditions in both the domestic and international environment;
- b. Periodically review and assess the country's industries' performance, problems and prospects;
- c. Reduce uncontrolled business costs by identifying the main bottlenecks, problem areas and constraints in all areas, sectors and activities that influence the development of industries, including but not limited to, such matters as policy framework, physical infrastructure, financing, foreign exchange, technology, production, promoting and marketing.
- d. Mandate specific departments and agencies to attend to the bottlenecks and problems constraining the development of industries in any of the areas mentioned in paragraph (c) above, and require the concerned Secretaries to deliver a progress report(s) on the actions or initiatives taken to resolve these areas of concern at the next meeting(s);
- e. Ensure product quality control by overseeing the formulation and implementation of quality control guidelines by appropriate agencies to make Philippine products at par with world-class products;
- f. Impose sanctions on any government agency or officer or employee thereof, or private sector entity that impedes efficient trade of Philippine goods;
- g. Recommend to Congress any proposed legislation that would contribute to the development of Philippine products;
- h. Formulate policies or recommended measures and draw up a study within ninety (90) days from the approval of this Order, relative to the rationalization of the government's industries promotion and development functions/activities and programs for the eventual transfer of government industries promotions and development activities to the private sector within a period of two (2) years after the approval of the Act;
- i. Formulate policies or recommend measures to promote investments in identified sectors;
- j. Formulate the policies for the granting of incentives to industries;
- k. Adopt such policies, rules and procedures and administrative systems for the efficient and effective exercise of its powers and functions; *and*
- l. Grant and review the accreditation of Philippine industry associations/organizations.

SEC. 4. *Executive Committee.* - An Executive Committee (ExCom) composed of representatives from DTI as Chairman, NEDA, Finance, BSP, the Office of the President and five (5) from the private sector, two (2) of whom are the respective Presidents of FPI and PCCI as Vice Chairmen, is hereby

constituted to assist the Council in the coordination, monitoring and assessment of the implementation of the IDPP.

SEC. 5. *Secretariat.* - The Council shall be assisted by a Secretariat based in the Department of Trade and Industry, headed by an official designated by the Chairman of the Council, together with personnel from the government agencies and private sectors represented in the ExCom who shall be assigned to the Secretariat, respectively, by the ExCom.

SEC. 6. *Meetings.* - The Council shall meet at least once a month, and at least once every quarter with the President, provided, that the President may convene the Council whenever he deems it necessary.

SEC. 7. *Funding.* - Funding of activities and operational expenses of the Council shall be supported by contributions from the government and the private sector. A seed capital in an amount recommended by the Department of Trade and Industry, upon consultation with the Department of Budget and Management and approved by the President, shall be taken from the Contingent Fund of the President. Thereafter, the annual contributions of the government shall be included in the annual General Appropriations Acts after consultations with the Department of Budget and Management.

SEC. 8. *Repealing Clause.* - All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

The Executive Order shall take effect immediately.

DONE in the City of Manila, this 2nd day of December in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1996). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 381
CREATING AN EXECUTIVE COMMITTEE AND TECHNICAL
WORKING GROUP ON FOOD SECURITY

WHEREAS, the Philippine Government is committed to the implementation of the Rome Declaration on World Food Security and World Food Summit Plan of Action approved by the World Food Summit in Rome, Italy, 13 November 1996;

WHEREAS, together with the heads of States and other delegations to the World Food Summit, we pledged “our political will and our common and national commitment to achieve food security for . . . with an immediate view of reducing the number of undernourished people to half their present level not later than 2015”;

WHEREAS, the Rome Declaration on Food Security affirmed “the right of everyone to have access to safe and nutritious food”;

WHEREAS, the Rome Declaration on Food Security reaffirmed that “a peaceful, stable and enabling political, social and economic environment is the essential foundation which will enable States to give adequate priority to food security and poverty eradication”;

WHEREAS, the objectives of food security can be met at least in part by the Social Reform Agenda which the government is already implementing, to achieve social equity through a substantive and peaceful process of change, by increasing people’s access to qualify basic services, access to economic opportunities and productive resources, as well as sustainable development of these resources and effective participation in economic and political governance;

WHEREAS, the objectives of food security can be effectively pursued by strengthening the complementation of the efforts and the mobilization of multi-sectoral participation.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested upon me by law, in order to fast-track the implementation of the Rome Declaration on World Food Security and World Food Summit Plan of Action through an Integrated Food Security and Sustainable Development Agenda, do hereby order the following:

SECTION 1. (a) An EXECUTIVE COMMITTEE ON FOOD SECURITY is hereby created, to be chaired by the Secretary of Agriculture, with the Director General of the National Economic Development Authority, Head of the Presidential Management Staff, the Secretaries of the Department of Environment and Natural Resources, Department of Agrarian Reform, Department of Interior and Local Government, Department of Science and Technology, Department of Trade and Industry, Department of Labor and Employment, Department of Social Welfare and Development and the Director General of Technical Education and Skills Development Authority as well as representatives of farmers’ organizations and of non-government organizations as members.

(b) A TECHNICAL WORKING GROUP ON FOOD SECURITY is also hereby created to be composed of officials to be designated by the members of the Executive Committee on Food Security and representatives of the farmers’ organizations and of non-government organizations.

(c) The aforementioned Committee and Technical Working Group are hereby directed to: (1) exert all efforts to make the contents of the Rome Declaration on World Food Security and Plan of Action known and understood by all concerned; (2) to make the appropriate adjustments in the Rome Declaration and Plan of Action to suit Philippine situations, conditions and requirements; and (3) to design and implement the appropriate policies, programs and projects to put into effect a holistic and unified approach and plan of action for food security and sustainable development.

SEC. 2. All National Government Agencies and Local Government Units are hereby ordered to support through complementation of efforts the overall agenda on food security and sustainable development.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 382
ESTABLISHING THE GAWAD PAMANA NG LAHI

WHEREAS, local governments are integral part of the Philippine Administrative System which perform significant roles and responsibilities as partners of the national government in the delivery of basic services and the promotion of economic growth and social equity;

WHEREAS, there is a need to give recognition to and further encourage the invaluable support and contribution of the local government units towards national development;

WHEREAS, numerous awards for local government units have been established along various fields of endeavor;

WHEREAS, it is fitting that a distinguished national award be formally established for local government units that have excelled in various areas of local governance to enrich our heritage.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. CREATION OF THE GAWAD PAMANA NG LAHI. The Gawad Pamana ng Lahi or the Presidential Local Government Heritage Award is hereby created with the following categories:

Gawad Pamana ng Lahi, Provincial Governments Category;
Gawad Pamana ng Lahi, Highly Urbanized Cities Category;
Gawad Pamana ng Lahi, Component Cities Category;
Gawad Pamana ng Lahi, First to Third Class Municipalities Category;
Gawad Pamana ng Lahi, Fourth to Sixth Class Municipalities Category;

SEC. 2. OBJECTIVES OF THE AWARD. The Gawad Pamana ng Lahi, herein referred to as Gawad, aims to accord government recognition to provinces, cities and municipalities that have distinguished themselves in the performance of their roles and responsibilities not only on the basis of a single program performance but also on their significant and quantifiable achievements along major development initiatives in local governance.

SEC. 3. CREATION OF THE NATIONAL AWARDS COMMITTEE. There is hereby created a National Awards Committee (NAC) composed of the following:

Chairperson	Secretary, Department of the Interior and Local Government
Member	Secretary, Department of Budget and Management
	Secretary, Department of Finance
	Secretary, Department of Environment and Natural Resources
	Secretary, Department of Agriculture
	Secretary, Department of Justice
	Secretary, Department of Education, Culture and Sports

Director-General, National Economic and Development Authority
Lead Convenor, Social Reform Council
Head, Presidential Commission to Fight Poverty
Head, Presidential Management Staff
One (1) Private Sector Representative

The NAC may invite the Chairman of the Commission on Audit to participate as member of the NAC. The NAC may further expand its membership as deemed necessary. Representatives from the private sector shall be designated by the Chairman. Technical and secretariat support for the Gawad Pamana ng Lahi shall be provided by the Bureau of Local Government Supervision of the Department of the Interior and Local Government.

SEC. 4. FUNCTIONS OF THE NATIONAL AWARDS COMMITTEE. The National Awards Committee shall have the following functions:

- a. Initiate and coordinate necessary activities for the successful implementation of the Gawad;
- b. Set guidelines/criteria for the evaluation of LGU-contenders and the selection of the National Awardees for the Gawad;
- c. Report to the President and give appropriate recommendations in the implementation of the Gawad; and
- d. Undertake other tasks/functions that may be assigned by the President.

SEC. 5. SCOPE OF THE AWARD. The Gawad shall be conferred annually to local government units (LGUs) which have excelled most in the following key activities or areas of local governance, namely:

- a. Implementation of Katarungang Pambarangay Program (Lupong Tagapamayapa Economic Incentives Awards);
- b. Environmental Management/Clean and Green Program (Presidential Awards for the Cleanest and Greenest Local Government Units of the Philippines);
- c. Innovations in Local Governance (Gantimpalang Panlingkod Pook or Galing-Pook);
- d. Maintenance of Peace and Order (Peace and Order Award);
- e. Sports Development Program (Siglakas Bayan Award);
- f. Population Management (Population Management Award);
- g. Promotion and Implementation of Nutrition Program (National Nutrition Honor Award);
- h. Poverty Alleviation Initiatives; and
- i. Financial Resource Management.

Subject to the approval of the National Awards Committee, other programs which focus on basic public services may be included in the selection of winners, such as, but not limited to, LGU performance in personnel management, legislation, development planning, information technology, health, education, infrastructure services, agricultural services, LGU investments and economic enterprise management, welfare and community development, and LGU-NGO partnership for development.

SEC. 6. METHOD OF SELECTION. The winners shall be selected using a point-system for LGU awards indicated in Sec. 5 of this Executive Order. Each activity or area of local governance shall be

assigned appropriate points according to the significance of the activity. There shall be assigned weights for every rank obtained by an LGU in an award system.

SEC. 7. GAWAD PAMANA NG LAHI COUNCIL OF FAME. A local government unit may be conferred the Gawad for two (2) consecutive years or three (3) non-consecutive years. After which, the LGU shall be elevated to the Gawad Pamana ng Lahi Council of Fame. An LGU-member of the Council of Fame which continues to excel in local governance may be conferred a special award.

The local chief executives of the members of the Council of Fame may serve as advisers to the National Awards Committee to further improve the awards system.

SEC. 8. FUNDING. The operational expenses and non-cash awards shall be charged to the budget of the Department of the Interior and Local Government.

SEC. 9. TROPHY DESIGN. The National Awards Committee, in coordination with the National Historical Institute, shall prescribe the design specifications of the Presidential Trophies.

SEC. 10. AWARDS AND PRIZES. The Awards shall be conferred to each national awardee, through the local chief executive concerned, in the form of a Presidential Trophy and a grant of TWO MILLION PESOS (P2,000,000) from the President's Social Fund to be used for development projects in the local government unit concerned.

Special awards for the members of the Council of Fame shall be determined by the National Awards Committee chargeable to the budget of the DILG.

SEC. 11. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 383
REORGANIZING AND STRENGTHENING THE TRIPARTITE INDUSTRIAL PEACE COUNCIL

WHEREAS, industrial peace is a fundamental requisite of national growth, development and social justice;

WHEREAS, industrial peace can be attained through meaningful tripartite consultations among Labor, Employer and Government sectors in the formulation and implementation of labor, economic and social policies;

WHEREAS, in line with the consensus to strengthen the tripartite Industrial Peace Council and to make it a more representative body, there is a need to redefine its structure, composition and function;

WHEREAS, to further strengthen the council's capability, efficiency and effectiveness, a permanent secretariat to provide technical and administrative support to the council is essential.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Tripartite Industrial Peace Council, hereinafter referred to as the Council, established under Executive Order No. 25, series of 1992, is hereby reorganized. Its composition as reorganized shall be as follows: the Secretary of the Department of Labor and Employment (DOLE) as Chairman and twelve (12) representatives each from the employer and labor sectors, to be designated by the President upon nomination by their respective sectors.

The government sector shall be composed of the following:

- a) The Secretaries of the Department of Trade and Industry (DTI) and Department of Interior and Local Government (DILG), and Director General of the National Economic and Development Authority (NEDA) or their duly authorized representatives who shall not be lower than Director IV in rank;
- b) All the Undersecretaries, DOLE;
- c) The Chairman, National Labor Relations Commission (NLRC);
- d) The Executive Director, National Conciliation and Mediation Board (NCMB);
- e) The Executive Director, National Wages and Productivity Commission (NWPC);
- f) The Director, Bureau of Labor Relations (BLR);
- g) The Director, Bureau of Working Conditions (BWC); and
- h) The Director, Bureau of Local Employment (BLE).

The Civil Service Commission (CSC), the Commission on Higher Education (CHED), the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Technical Education and Skills Development Authority (TESDA), through their duly authorized representatives who shall not be lower in rank than Director IV, shall act as permanent resource persons to the Council in their respective areas of competence.

SEC. 2. To assist in the attainment of the objectives of this Order, the Chairman, upon recommendation of the Council, may call for the constitution of industry-wide tripartite councils at the national level, which shall be deemed to be sub-committees of the Council and which shall address issues and recommend appropriate responses to the Council with respect to industry-specific concerns. The industry councils shall be composed of such number of members as the sectors may agree upon and shall be constituted upon the appropriate directive of the Secretary of Labor and Employment.

SEC. 3. Consistent with a general criteria for selection of representatives to be prescribed by the Secretary of Labor and Employment upon consultation with the sector, the regional directors of the DOLE may likewise constitute such Regional Tripartite Industrial Peace Councils (TRIPCs), tripartite industry councils (ITCs), or area-wide labor-management consultative councils, including appropriate sub-committees at the provincial city, or municipal levels, as may be appropriate under the circumstances. In such cases, the Regional Director shall serve as chairman of the regional councils; provided, however, that the chairman of the provincial, city or municipal councils shall be agreed upon by majority of the representatives present. Such councils shall be considered subcommittees of the national council and shall form integral parts thereof.

SEC. 4. The sectoral members of the Council and its subcommittees shall continuously serve as such so long as they remain with or are not recalled by their respective sectors, or until their resignation or replacement by the President upon recommendation by the sector concerned in the case of the national council, or by the regional director in the case of the regional councils.

SEC. 5. The Chairman of the Council and the Chairmen of the respective subcommittees shall convene the same at their own initiative or at the request of either or any of the sectors represented in the Council.

SEC. 6. The Council and its subcommittees shall have the following functions:

- a) To monitor the full implementation and sectoral compliance with the provisions of all international conventions, tripartite agreements and commitments;
- b) To assist in the preparation and conduct of national, regional or industry-specific tripartite conferences which the President of the Philippines or the Secretary of Labor and Employment may call from time to time;
- c) To review existing labor, economic and social policies and to evaluate local and international developments affecting them;
- d) To formulate, for submission to the President or the Congress, tripartite views, recommendations and proposals on labor, economic and social concerns, as well as to present tripartite positions on relevant bills pending in Congress;
- e) To advise the Secretary of Labor and Employment in the formulation or implementation of major policies as well as in major decision-making processes affecting labor and employment; and
- f) To serve as a communication channel and a mechanism for undertaking joint programs among government, employers, and labor toward enhancing labor-management relations.

The Council shall have authority to coordinate with, call upon, or utilize any government agency, body or instrumentality for such assistance as it may require in the performance of its functions.

SEC. 7. The Council, through the Chairman, shall submit periodic reports of its activities to the President. The subcommittees of the Council shall likewise submit through the Secretariat, periodic reports to the Chairman of the Council.

SEC. 8. For policy and program coordination, the existing secretariat of the council shall be placed under the direct technical and administrative supervision of the Bureau of Labor Relations (BLR). The Secretariat shall provide the regional offices such technical and administrative support as may be needed, to particularly ensure the integration of regional and national concerns.

SEC. 9. Nothing herein shall be construed as restricting the prerogative of the President and the Secretary of Labor and Employment in calling for periodic consultations with the members of the Council, nor diminishing the authority of the Secretary of Labor and Employment or other tripartite agencies as defined in existing laws.

SEC. 10. The incumbent sectoral members of the Council shall continue to serve as such until a new set of numbers shall have been appointed in accordance with Section 4 of this Order.

SEC. 11. All previous issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 12. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 6th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 384
FURTHER AMENDING EXECUTIVE ORDER NO. 325, SERIES OF 1996 AND FOR THIS
PURPOSE INSTITUTIONALIZING LABOR SECTOR REPRESENTATION
IN THE REGIONAL DEVELOPMENT COUNCILS

WHEREAS, Article X, Section 14 of the Constitution provides that the President shall create regional development councils (RDCs) and other similar bodies composed of local government officials, regional heads of departments and other government offices and representatives from non-governmental organizations within the regions;

WHEREAS, Executive Order No. 325 provides for the organization structure of RDCs;

WHEREAS, the Article II, Section 18 of the Constitution affirms labor as a primary social and economic force;

WHEREAS, Article XIII, Section 3 also assures the rights of workers to participate in policy and decision-making processes affecting their rights and benefits as may be provided by law;

WHEREAS, consistent with the principles of participation decision-making and empowerment, there is a need to ensure the representation of labor in the RDCs.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by the powers vested in me by law, hereby amend Executive Order No. 325, Series of 1996, particularly Section 1 thereof, as follows:

“Section 1. Regular Members. The following shall be the regular RDC members:

- a. all provincial governors;
- b. all city mayors;
- c. mayors of municipalities designated as provincial capitals;
- d. all presidents of the provincial league of mayors;
- e. the mayor of the municipality designated as the regional center;
- f. the regional directors of agencies represented in the National Economic and Development Authority Board (NEDA, DAR, DA, DBM, DENR, DOF, DFA, DOH, DILG, DOLE, DPWH, DOST, DTI, DOTC, BSP) and the regional director of DECS, DSWD and;
- g. private sector representatives (PSRs), AT LEAST ONE OF WHOM SHALL BE A REPRESENTATIVE OF THE LABOR SECTOR, who shall comprise one-fourth of the members of the fully constituted council.”

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 385
CREATING A TASK FORCE TO ADDRESS THE CONCERNS OF PERSONS WITH DISABILITIES

WHEREAS, the United Nations has declared 1993-2002 as the Asian and Pacific Decade of Disabled Persons;

WHEREAS, Proclamation No. 125 dated 15 January 1993 was issued for the nationwide observance of the Decade of Disabled Persons and to reiterate government's commitment to develop and implement programs and services for persons with disabilities;

WHEREAS, R.A. 7277, otherwise known as the Magna Carta for Disabled Persons was approved on 24 March 1992 to ensure the rehabilitation and over-all development of disabled persons and integrate them into the mainstream of society;

WHEREAS, there is need to fast-track the formulation and implementation of a comprehensive and integrated plan of action to promote the rehabilitation, self-reliance and development of persons with disabilities and undertake immediate measures to address the sector's needs, concerns, issues and problems; and

WHEREAS, there is need to create a body which shall formulate strategic interventions and provide expeditious response to address the immediate concerns of persons with disabilities.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Creation of a Task Force to Address the Concerns of Persons with Disabilities. There is hereby created a Task Force to Address the Concerns of Persons with Disabilities hereinafter referred to as the "Task Force."

SEC. 2. Composition. The Task Force shall be composed of the following:

- | | | |
|---|---|-------------|
| a. Secretary, Department of Social Welfare and Development | – | Chairman |
| b. Secretary, Department of the Interior and Local Government | – | Co-Chairman |
| c. Secretary, Department of Labor and Employment | – | Member |
| d. Secretary, Department of Trade and Industry | – | Member |
| e. Secretary, Department of Health | – | Member |
| f. Secretary, Department of Education, Culture and Sports | – | Member |
| g. Secretary, Department of Agrarian Reform and SRA Lead Convenor | – | Member |
| h. Chairman, Philippine Charity Sweepstakes Office | – | Member |
| i. Chairman, Philippine Amusement and Gaming Corporation | – | Member |
| j. Chairman, Philippine Sports Commission | – | Member |
| k. Head, Rizal Council of Persons with Disabilities, Inc. | – | Member |
| l. Head, Philippine Foundation for the Rehabilitation of the Disabled, Inc. | – | Member |

Concerned local government executives and representatives from other non-government organizations involved in the welfare of persons with disabilities, as may be determined by the Task Force, may be designated as members, consultants and/or advisers.

The members shall designate their permanent alternates to the Task Force whose ranks shall not be lower than a Director or its equivalent.

The Task Force is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, for such assistance as may be needed in the discharge of its functions.

SEC. 3. Functions. The Task Force shall have the following functions:

- a. Ensure the formulation and implementation of an integrated action plan involving programs and projects to promote the rehabilitation, self-reliance and development of persons with disabilities;
- b. Identify and immediately address gaps in the implementation of programs and laws benefitting persons with disabilities, especially the Magna Carta for Disabled Persons;
- c. Formulate strategic interventions and provide expeditious response to address the immediate concerns of persons with disabilities;
- d. Facilitate the conduct of fund-raising activities and formulate innovative schemes to ensure funding support for major activities for the sector, such as the First Philippine Wheelathon 1997;
- e. Submit quarterly reports to the President; and
- f. Perform such other tasks as may be directed by the President.

SEC. 4. Staff Support. The National Council on the Welfare of Disabled Persons (NCWDP) Secretariat shall provide technical and secretariat support to the Task Force.

SEC. 5. Funding. Initially, the amount of TEN MILLION PESOS (P10,000,000.00) and FIVE MILLION PESOS (P5,000,000.00) shall be released from the OP-DBM savings/reserves and the Philippine Charity Sweepstakes Office (PCSO), respectively, for the identified priority programs/activities for PWDs in 1997. The NCWDP, as the Task Force Secretariat, shall serve as the fund depository and receive the funds, for and on behalf of the Task Force. The Task Force shall manage, dispose and exercise control over the utilization of said funds.

Thereafter, appropriations for other programs and projects shall be incorporated in the regular budget of the concerned agencies.

SEC. 6. Effectivity This Executive Order shall take effect immediately.

DONE in the City of Manila, this 9th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 386
AMENDING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 369, DATED
SEPTEMBER 6, 1996 WHICH CREATED THE SOCIAL PROTECTION
COORDINATING COMMITTEE TO HARMONIZE AND COORDINATE
SOCIAL PROTECTION POLICIES AND PROGRAMS

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend certain provisions of Executive Order No. 369, dated September 6, 1996, and order the following:

SECTION 1. Section 2 is hereby amended to include as Committee members the Secretaries of the Department of Health and the Department of Social Welfare and Development, as well as labor representatives, one (1) each from the private, public and informal sector.

SEC. 2. Section 3 is hereby amended to read as follows:

“Section 3. Responsibility of the Committee. The Committee shall undertake a complete and comprehensive review and study of the various social protection programs of the Philippines, including but not limited to, the programs being implemented by the SSS, GSIS, ECC, HDME, the new Philippine Health Insurance Corporation, and the RSBS/AFP, with the end view of reforming, rationalizing and aligning them, taking into account the need of the people, on the one hand, and the prevailing social and economic conditions and available resources, on the other. Within nine (9) months from the issuance of this Executive Order, the Committee shall submit to the President its findings and recommendations.”

Sec. 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 9th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 387

FURTHER AMENDING EXECUTIVE ORDER NO. 203, DATED 27 SEPTEMBER 1994,
AS AMENDED BY EXECUTIVE ORDER NO. 356, DATED 12 JULY 1996

WHEREAS, Executive Order No. 203, dated 27 September 1994, created the Oversight and Executive Committees for the Social Reform Agenda;

WHEREAS, Executive Order No. 203 was amended by Executive Order No. 356, dated 12 July 1996, to provide for the expanded membership of the Social Reform Council and the implementing guidelines on the institutional arrangements to fast-track SRA localization;

WHEREAS, the youth is a major sector in the implementation of the Social Reform Agenda;

WHEREAS, the National Youth Commission is mandated to oversee the national youth development program as stipulated in R.A. 8044;

WHEREAS, there is a need to include the National Youth Commission (NYC) in the Social Reform Council to ensure the integration and continuing interventions for the youth sector.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Executive Order No. 203, dated 27 September 1994, as amended by Executive Order No. 356, dated 12 July 1996, to include the National Youth Commission in the membership of the Social Reform Council. The NYC, together with the Department of Social Welfare and Development, as the flagship champion for the Comprehensive and Integrated Development of Social Services and the youth sectoral council of leaders, shall spearhead and oversee the formulation of the National Youth Development Plan.

This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 16th day of December, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 388
MODIFYING THE NOMENCLATURE AND RATES OF IMPORT DUTY ON CERTAIN
IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE
OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, Sections 104, 401 and 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specially listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall have the Most-Favored-Nation (MFN) rates of import duty in accordance with the schedule indicated opposite each article as specified in columns 4-7 of said Annex.

SEC. 2. The articles specifically listed in Annex “B” hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN Common Effective Preferential Tariff (CEPT) in accordance with the schedule indicated opposite each article as specified in columns 4-7 of said Annex.

SEC. 3. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and effect.

SEC. 4. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annexes “A” and “B” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty therein prescribed. With respect to the articles listed in Annex “B”, they shall be subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SEC. 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 6. This Executive Order shall take effect fifteen (15) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 27th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annexes "A" and "B"

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 389

IMPLEMENTING THE FOURTH AND FINAL YEAR SALARY INCREASES AUTHORIZED BY
JOINT SENATE AND HOUSE OF REPRESENTATIVES RESOLUTION NO. 1, SERIES OF 1994

WHEREAS, Congress through RA No. 8244 has appropriated the amount of Twenty-Seven Billion Pesos (₱27,000,000,000), or so much thereof as may be necessary, for the fourth and final year of implementation of the salary increases authorized by Joint Senate-House of Representatives Resolution No. 01, Series of 1994, for all national government civilian and uniformed personnel, in two (2) payments: 1) effective January 1, 1997 equivalent to fifty percent (50%) of the unimplemented balance as of December 31, 1996 of the basic pay corresponding to the Salary Grade concerned, and 2) effective November 1, 1997 the remaining fifty percent (50%) of said unimplemented balance to effect full salary adjustment;

WHEREAS, the government has adopted with some modifications the Salary Schedule in the revised Compensation and Position Classification System for the government recommended by Congress through said Joint Resolution No. 01 for implementation within four (4) years or not later than 1997;

WHEREAS, through said Joint Resolution the Senate and House of Representatives have also categorically recognized and acknowledged the authority of the President of the Philippines to revise the existing Compensation and Position Classification System in the government under the standards and guidelines therein provided;

WHEREAS, it has been determined more appropriate for an effective compensation administration to adopt a 33-Grade Salary Schedule instead of the 35-Grade Salary Schedule recommended by Congress;

WHEREAS, said Salary Schedule as modified to 33-Salary Grades was partially implemented in 1994, 1995 and 1996 through Executive Order Nos. 164, 218 and 290, respectively;

WHEREAS, consultations have also been made with various leagues of local government units regarding the full implementation of the said Salary Schedule.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, P.D. No. 985, P.D. No. 1597, RA No. 6758, RA No. 8244 and said Joint Resolution No. 1 of Congress, do hereby order and direct:

SECTION 1. *Salary Schedule.* The 35-Grade Salary Schedule for Civilian personnel recommended by Congress through Senate-House of Representatives Joint Resolution No. 1, s. 1994, and adopted under Executive Order No. 164, dated March 7, 1994 with modifications, is hereby modified to 33-Grades Salary Schedule consistent with those prescribed in RA No. 6758.

SEC. 2. *Full Implementation.* The Department of Budget and Management is hereby directed to implement in full in FY 1997 the remaining balance of said Salary Schedule after the partial implementation made of the same in 1994, 1995 and 1996 to Civilian and uniformed personnel, as follows:

1. For Civilian Personnel

- a. *Effective January 1, 1997* = in accordance with the **Fourth Interim Salary Schedule** hereto attached and marked as Annex A of this Order. The adjustment shall be to the designated salary step of the employee in the salary grade allocation of his position as of December 31, 1996;
- b. *Effective November 1, 1997* = in accordance with the attached **Salary Schedule** marked as Annex B of this Order. The adjustment shall be to the designated salary step of the employee in the salary grade allocation of his position as of October 31, 1997.

2. For Uniformed Personnel

In accordance with the attached Fourth Interim Salary Schedule marked as Annex C of this Order for the implementation effective January 1, 1997 and with the Salary Schedule marked as Annex D for the full implementation effective November 1, 1997.

SEC. 3. Coverage and Exemption. This Order shall cover only officials and employees of the National Government Agencies (NGAs), Government-Owned and/or Controlled Corporations (GOCCs), Government Financial Institutions (GFIs) and Local Government Units (LGUs) whose basic salaries conform to the Third Interim Salary Schedule prescribed under Executive Order No. 290, dated January 2, 1996. Officials and employees of agencies who are exempted by law from the Compensation and Position Classification System and/or do not follow the Salary Schedule prescribed for government personnel are not entitled to the salary increases authorized herein.

SEC. 4. Salary Grade Allocation of Positions. The salary grade allocation of positions pursuant to RA No. 6758 shall be maintained.

SEC. 5. Continuation of the Personnel Economic Relief Allowance (PERA) and Additional Compensation (ADCOM). The PERA and ADCOM authorized under R.A. No. 7078 and Administrative Order No. 53, respectively, shall continue to be paid as allowances and not integrated into the basic pay.

SEC. 6. Transition Allowance. The transition allowance resulting from the implementation of RA No. 6758 and other personnel and compensation actions thereafter, including the “over and above allowance” of public school teachers and related personnel shall be considered as advance payment of the salary increases authorized herein; *Provided, That*, in the case of public school teachers and related personnel said “over and above allowance” shall first be added to the salary rate in the equivalent salary grade and step under the Salary Schedule marked Annex B before determining the appropriate salary step in the salary grade allocation of their position in the new Salary Schedule.

SEC. 7. Allowances and Benefits Based on Percentage of Basic Salaries. Notwithstanding the salary increases authorized herein, there shall be no corresponding increase in the present allowances and benefits being received by officials and employees which are based on a percentage of their basic salaries.

SEC. 8. Flexibility for Local Government Units. Flexibility is hereby given to each LGU to set its own schedule for the implementation of the herein authorized salary increases depending on its financial capability; *Provided, That*, the implementation of the same shall be in accordance with the schedule prescribed for civilian personnel in Section 1 hereof, and the percentage application under Section 10 of RA No. 6758 strictly complied with.

SEC. 9. *Separation from Government Service.* For those who will be compulsorily separated from government service for having reached the age of mandatory retirement, or due to death, sickness/disability in 1997 but before the full implementation effective November 1, 1997, their retirement/separation benefits, gratuity and payment of accumulated leave credits shall be computed on the basis of the salary rate in Salary Schedule in Annex B hereof corresponding to their previous designated salary step; *Provided, That*, those who will be compulsorily retired on account of having reached the age of mandatory retirement will be given the option to retire pursuant to RA No. 660 and the difference between the lump-sum amount that the retiree will receive under RA No. 660 and the amount of retirement benefit had the employee retired under RA 1616, shall be paid to the retiring employee by the last employer.

SEC. 10. *Funding Source.* The funding sources for the amounts necessary to implement the herein authorized salary increases shall be as follows:

- a. For NGAs, the amount shall be charged against the ₱27.0 Billion appropriated for the purpose under said RA No. 8244 and accordingly set aside for the purpose in their respective budgets for FY 1997.
- b. For GOCCs and GFIs, the amount shall be charged against their respective corporate funds.
- c. For LGUs, the amount shall be charged against their respective funds.

GOCCs, GFIs and LGUs which do not have adequate or sufficient funds to pay the salary increases prescribed herein, may only partially implement the established rated; *Provided, That*, any partial implementation shall be fixed at a uniform percentage such that no official or employee shall receive a percentage adjustment higher than that of any other official/employee in the same corporate entity and local government unit.

SEC. 11. *Prohibition.* Pursuant to Section 4 of said RA No. 8244, the salary adjustment herein authorized shall not benefit the President, the Vice President and Members of Congress.

SEC. 12. *Implementing Guidelines.* The Department of Budget and Management shall prepare and issue the necessary guidelines for the implementation of this Executive Order.

SEC. 13. *Effectivity.* This Executive Order shall take effect January 1, 1997.

DONE in the City of Manila, this 28th day of December, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annexes A, B, C, and D

Source: Presidential Management Staff

Office of the President of the Philippines. (1996). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 390

MODIFYING THE NOMENCLATURE AND RATES OF IMPORT DUTY ON
CERTAIN IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND
CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, Sections 104 and 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The following articles under Section 104 of the Tariff and Customs Code, as amended, shall have rates of import duty in accordance with the schedule indicated opposite each article as listed below:

HDG. NO. (1)	HARMONIZED SYSTEM CODE (2)	DESCRIPTION (3)	Rate of Duty, (%) 1 January			
			1997 (4)	1998 (5)	1999 (6)	2000 (7)
76.04		Aluminium bars, rods and profiles.				
	7604.10 00	— x x x				
		— Of aluminium alloys				
	7604.21 00	-- x x x				
	7604.29	-- Other				
	7604.29 10	--- Y-shape profiles for zippers, in coils	3	3	3	3
	7604.29 90	--- Other	20	10	10	10
76.05		Aluminium wire.				
		— Of aluminium, not alloyed:				
	7605.11 00	-- Of which the maximum cross-sectional dimension exceeds 7 mm	10	3	3	3
	7605.19 00	-- x x x				
		— x x x				
	7605.21 00	-- x x x				
	7605.29	-- x x x				
	7605.29 10	--- x x x				
	7605.29 90	--- x x x				
76.16		Other articles of aluminium.				
	7616.10 00	— x x x				
		— Other:				
	7616.91 00	-- x x x				

HDG. NO. (1)	HARMONIZED SYSTEM CODE (2)	DESCRIPTION (3)	Rate of Duty, (%)			
			1 January			
			1997 (4)	1998 (5)	1999 (6)	2000 (7)
	7616.99	-- Other:				
	7616.99 10	--- x x x				
	7616.99 20	--- x x x				
	7616.99 30	--- x x x				
	7616.99 40	--- Tube for yarn winders; Bobbins, spools and similar supports for textile yarn	3	3	3	3
	7616.99 90	--- x x x				
		Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37.				
		- x x x				
	8523.11	-- x x x				
	8523.11 10	--- x x x				
	8523.11 90	--- x x x				
	8523.12	-- x x x				
	8523.12 10	--- x x x				
	8523.12 90	--- x x x				
	8523.13	-- x x x				
	8523.13 10	--- x x x				
	8523.13 90	--- x x x				
	8523.20	-- x x x				
	8523.20 10	--- x x x				
	8523.20 90	--- x x x				
	8523.30 00	- x x x				
	8523.90	-- Other:				
	8523.90 10	--- Compact discs (CD) media	3	3	3	3
	8523.90 90	--- Other	20	20	20	20

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and effect.

SECTION 3. Upon the effectivity of this Executive Order, the abovementioned articles which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SECTION 4. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 17th of January, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 391
CREATING AN ORGANIZING COMMITTEE TO INITIATE AND SUPERVISE APPROPRIATE
COMMEMORATIVE ACTIVITIES FOR THE 30TH ANNIVERSARY OF THE
ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)

WHEREAS, on 30 November 1996, the ASEAN Heads of Government, in their First Informal Meeting in Jakarta, decided to mark the 30th anniversary of ASEAN, founded on 8 August 1967, with special events and programs to inform the people of the accomplishments and programs of ASEAN for the region;

WHEREAS, on 5 - 7 December 1995, the Fifth ASEAN Summit in Bangkok decided not only to strengthen political and economic cooperation but also to elevate ASEAN functional cooperation to a higher plane, through greater awareness of ASEAN, people-to-people contact and socio-cultural development;

WHEREAS, the Philippines, upon assuming the chairmanship of the ASEAN Standing Committee from 1 August 1997 to 31 July 1998, shall, among its other functions, steer region-wide commemorative events as well as nation-wide commemorative activities for the duration of the ASEAN's 30th year.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare the following:

SECTION 1. Observance of the 30th Year of ASEAN. The Philippines shall formulate, in consultation with other ASEAN member countries, region-wide special events and programs and organize nation-wide commemorative activities to observe the ASEAN's 30th Year from 1 August 1997 to 31 July 1998, with special activities on the 30th Anniversary of ASEAN on 8 August 1997.

SEC. 2. Organizing Committee for the 30th ASEAN Year. There is hereby created an Organizing Committee for the 30th ASEAN Anniversary chaired by the Secretary of Foreign Affairs, with the following as members: the Cabinet-level Philippine Council for ASEAN and APEC Cooperation (PCAAC), the Secretary of Education, Culture and Sports, the Press Secretary and the Chairman of the Commission on Higher Education. The Committee shall be assisted by the two Technical Boards of PCAAC, namely the Technical Board for Functional Cooperation and the Technical Board for Economic Cooperation. All departments and agencies of the government shall extend every possible support to the commemorative events and activities, when requested by the Organizing Committee.

SEC. 3. Communication Plan. The PCAAC shall formulate and implement a support communication plan to provide better understanding by the Filipino people of the benefits that ASEAN can provide them. Emphasis shall be given to political, economic and functional cooperation.

SEC. 4. Secretariat. The Office of ASEAN Affairs of the Department of Foreign Affairs shall serve as the secretariat of the Organizing Committee. It shall be assisted by the ASEAN units in all departments and agencies of the Government.

SEC. 5. Funding. The amount of fifteen million (₱15,000,000.00) pesos is hereby allocated for the above-mentioned purposes, chargeable against the Contingency Fund of the Office of the President.

SEC. 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 392
DECLARING FULL DEREGULATION OF THE DOWNSTREAM OIL INDUSTRY

WHEREAS, Republic Act No. 7638, otherwise known as the “Department of Energy Act of 1992,” provides that, at the end of four years from its effectivity last December 1992, “the Department [of Energy] shall, upon approval of the President, institute the programs and timetable of deregulation of appropriate energy projects and activities of the energy sector;”

WHEREAS, Section 15 of Republic Act No. 8180, otherwise known as the “Downstream Oil Industry Deregulation Act of 1996,” provides that “the DOE shall, upon approval of the President, implement the full deregulation of the downstream oil industry not later than March, 1997. As far as practicable, the DOE shall time the full deregulation when the prices of crude oil and petroleum products in the world market are declining and when the exchange rate of the peso in relation to the US dollar is stable;”

WHEREAS, pursuant to the recommendation of the Department of Energy, there is an imperative need to implement the full deregulation of the downstream oil industry because of the following recent developments: (i) depletion of the buffer fund on or about 7 February 1997 pursuant to the Energy Regulatory Board’s Order dated 16 January 1997; (ii) the prices of crude oil had been stable at \$21 - \$23 per barrel since October 1996 while prices of petroleum products in the world market had been stable since mid-December of last year. Moreover, crude oil prices are beginning to soften for the last few days while prices of some petroleum products had already declined; and (iii) the exchange rate of the peso in relation to the US dollar has been stable for the past twelve (12) months, averaging at around P26.20 to one US dollar;

WHEREAS, Executive Order No. 377 dated 31 October 1996 provides for an institutional framework for the administration of the deregulated industry by defining the functions and responsibilities of various government agencies;

WHEREAS, pursuant to Republic Act. No. 8180, the deregulation of the industry will foster a truly competitive market which can better achieve the social policy objectives of fair prices and adequate, continuous supply of environmentally-clean and high quality petroleum products;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by the powers vested in me by law, do hereby declare the full deregulation of the downstream oil industry.

This Executive Order shall take effect on 8 February 1997.

DONE in the City of Manila, this 22nd day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 393
ESTABLISHING THE SAJID BULIG PRESIDENTIAL AWARD FOR HEROISM

WHEREAS, there is a need to encourage and rekindle the virtues of heroism and courage characteristic of the Filipino race;

WHEREAS, individuals who have shown heroism and courage beyond expectations shall serve as good models for the citizenry;

WHEREAS, an extraordinary act of heroism and courage was demonstrated by a 12-year old boy named Sajid Bulig who lost his life in order to save other children from drowning during the Bocaue, Bulacan Tragedy of 2 July 1993;

WHEREAS, it is fitting to establish an award for heroism in honor of Sajid Bulig to give tribute to Filipinos who performed extreme acts of selflessness and sacrifice.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of the Award.* The Sajid Bulig Presidential Award for Heroism is hereby established.

SEC. 2. *Objectives of the Awards.* The primary objective of the Sajid Bulig Presidential Award, herein referred to as the Award, is to accord official recognition to an individual who has demonstrated exemplary courage in the service of humanity, even at the cost of his/her life. Specifically, the Award seeks to:

- a. Confer distinct recognition to an individual who risked his/her life in the service of the community, nation and humanity;
- b. Reward individuals for exemplary deeds, outstanding feats or acts of heroism; and
Glorify exemplars of the virtues of courage, selflessness, gallantry, bravery, and patriotism worthy of emulation by all Filipinos.

SEC. 3. *Constitution of National, Regional and Provincial Screening Committees.* Screening Committees at the national regional and provincial levels are hereby organized with the following composition, functions and responsibilities:

National Screening Committee

Chairman	Secretary, Department of the Interior and Local Government
Members	National President, League of Provinces
	National President, League of Cities
	National President, League of Municipalities
	National President, Liga ng mga Barangay
	Undersecretary for Peace and Order, DILG

Undersecretary for Local Government, DILG
One (1) private sector representative/NGO partner

The National Screening Committee shall undertake the following:

- Initiate and coordinate necessary activities for the successful implementation of the Award;
- b. Select the private sector representative/NGO partner of the National Awards Committee;
Set policy guidelines, mechanics and criteria for the selection of the awardee;
- d. Screen regional nominees in accordance with the prescribed criteria;
- e. Recommend to the President a possible awardee;
- f. Plan and implement appropriate awarding ceremonies; and
- g. Provide funding for operational expenses and prizes.

The Bureau of Local Government Supervision (BLGS) of the Department of the Interior and Local Government shall serve as the National Secretariat for the National Screening Committee and shall be the lead in the administration of the Award.

Regional Screening Committee

Chairman	DILG Regional Director
Members	PNP Regional Director
	NAPOLCOM Regional Director
	Representative, League of Provinces
	Representative, League of Cities
	Representative, League of Municipalities
	Representative, Liga ng mga Barangay
	One (1) private sector/NGO partner

The Regional Screening Committee shall undertake the following:

- a. Initiate and coordinate necessary activities for the implementation of the Award in the region;
and
- b. Screen, select, and nominate to the National Screening Committee a candidate awardee from cities or from the Provincial Screening Committee.

The DILG Regional Office shall serve as the Secretariat for the Regional Screening Committee.

Provincial Screening Committee

Chairman	Provincial Local Government Operations Officer, DILG
Members	President, Provincial Chapter, League of Municipalities
	President, Provincial Chapter, Liga ng mga Barangay
	President, Panlalawigang Pederasyon ng Sangguniang Kabataan
	President, Provincial Federation of Sanggunian Members
	One (1) private sector/NGO partner

The Provincial Screening Committee shall undertake the following:

- a. Initiate and coordinate necessary activities for the implementation of the Award in the province;
- b. Mobilize support of the municipalities and barangays within the province in the search for modern-day heroes; and
Screen, select and nominate to the Regional Screening Committee a candidate awardee of the province.

The DILG Provincial Office shall serve as the Secretariat for the Provincial Screening Committee.

SEC. 4. *Activation of Committees.* The screening committees herein established shall be convened whenever necessary.

SEC. 5. *Funding.* Funding sources for operations of the committees and for prizes shall be identified by the National Awards Committee.

SEC. 6. *Awards and Prizes.* The Sajid Bulig Presidential Awardee shall receive a special Plaque of Commendation and other prizes as may be determined by the National Screening Committee.

SEC. 7. *Conferment of the Award.* The President shall confer the Award to a selected Awardee. The Award may be conferred posthumously, on behalf of the deceased Awardee, to his/her legal heir or nearest of kin.

SEC. 8. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 394
ESTABLISHING THE LUPONG TAGAPAMAYAPA INCENTIVES AWARDS

WHEREAS, the Katarungang Pambarangay (KP) was created under Presidential Decree No. 1508, dated 11 June 1978, to formally organize into a system the time-honored Filipino tradition of amicably settling interpersonal disputes in a barangay without judicial recourse;

WHEREAS, the Lupong Tagapamayapa, herein referred to as Lupon, was empowered under the system to mediate, conciliate and/or arbitrate disputes in a barangay to promote the speedy administration of justice;

WHEREAS, the committed and dedicated performance of the Lurons has brought the success of the Katarungang Pambarangay for more than seventeen years;

WHEREAS, in recognition of the Lurons' contributions in the promotion of the Katarungang Pambarangay objectives, Section 406b of the Local Government Code of 1991 (Republic Act 7160) mandates the Department of the Interior and Local Government to grant economic or other incentives to outstanding Lurons.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of the Awards.* The Lupong Tagapamayapa Incentives Awards, herein referred to as the Awards, is hereby created as an annual National Awards with the following categories:

- a. Outstanding Lupong Tagapamayapa in Highly-Urbanized Cities;
- b. Outstanding Lupong Tagapamayapa in Component Cities,
Outstanding Lupong Tagapamayapa in First to Third Class Municipalities; and
- d. Outstanding Lupong Tagapamayapa in Fourth to Sixth Class Municipalities.

SEC. 2. *Objectives of the Awards.* The Lupong Tagapamayapa Incentives Awards aim to:

- a. Strengthen the Katarungang Pambarangay as an indigenous conflict resolution structure at the grassroots;
- b. Institutionalize a system of granting economic benefits and other incentives to Lurons which demonstrate exemplary performance; and
- c. Generate greater awareness among, and support from, the various sectors of Philippine society on the Katarungang Pambarangay as a potent vehicle toward social ordering and human development.

SEC. 3. *Constitution of Awards Committee.* There is hereby created Lupong Tagapamayapa Awards committees at the municipal, city, provincial, regional and national levels. The Lupong Tagapamayapa National Awards Committee shall be composed of:

Chairperson	Secretary, Department of the Interior and Local Government
Vice-Chairperson	Secretary, Department of Justice
Members	National President, Liga ng mga Barangay Representative, National Peace and Order Council Two (2) Private Sector/NGO Representatives

The Chairman, upon the recommendation of the members of the National Awards Committee, shall select the private sector/NGO representatives.

The National Awards Committee may invite one (1) representative from the Supreme Court to sit as member of the National Awards Committee.

The composition of the National Awards Committee may be replicated at the municipal, city, provincial and regional levels.

The DILG, through the Bureau of Local Government Supervision, shall provide technical and secretariat support to the National Awards Committee.

SEC. 4. *Functions of the Lupong Tagapamayapa National Awards Committee.* The Committee shall have the following functions:

- a. Initiate and coordinate necessary activities for the successful implementation of the Awards;
- b. Set the guidelines and criteria for the selection of winners;
Organize the Regional, Provincial, City and Municipal Awards Committees;
- d. Secure funding and additional prizes from the private sector;
- e. Select from among the regional nominees the national awardees;
- f. Proclaim the National Awardees; and
- g. Plan and implement appropriate awarding ceremonies.

SEC. 5. *Funding.* For the 1996 Awards, the amount of TWO MILLION PESOS (₱ 2,000,000) for the operations of the National Awards Committee and THREE MILLION, EIGHT HUNDRED THOUSAND PESOS (₱3,800,000) for cash awards shall be allocated from the President's Social Fund (PSF). Funding for the subsequent years of the Awards shall be incorporated in the annual budget of the Department of the Interior and Local Government. Additional funding may also be generated from the member-agencies of the Committee, and from the private sector.

SEC. 6. *Awards and Prizes.* The Awards shall be conferred to each national awardee, through the local chief executive concerned, in the form of a Presidential Trophy and a THREE HUNDRED THOUSAND (₱ 300,000) development grant. For each regional awardee, FIFTY THOUSAND PESOS (₱ 50,000) in development grant and a special plaque shall be awarded.

SEC. 7. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of January, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 395
APPROVING AND ADOPTING THE NATIONAL ACTION AGENDA FOR PRODUCTIVITY
AND CREATING THE PHILIPPINE COUNCIL FOR PRODUCTIVITY

WHEREAS, there is need to implement national strategies for productivity improvement to further strengthen the competitiveness of the Philippine economy in a rapidly expanding world market and thereby sustain its recent developmental gains;

WHEREAS, the Multi-Sectoral/Agency Committee created under Administrative Order No. 267, s. 1996, has completed its task of formulating a National Action Agenda for Productivity to complement the Philippine Development Plan and serve as a comprehensive strategy for productivity improvement;

WHEREAS, various sectors - - both private and government - - have pledged their commitment to support the National Action Agenda for Productivity by combining their resources, time and effort in order to ensure its successful implementation;

WHEREAS, to ensure consistency of policies and coordination of efforts, it is necessary to create a high-level body to orchestrate activities on productivity improvement;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Approval and Adoption of the NAAP* The National Action Agenda for Productivity (NAAP) is hereby approved and adopted.

SEC. 2. *Creation of the Philippine Council for Productivity*. The Philippine Council for Productivity, (herein referred to as the council), is hereby created to oversee the implementation of the National Action Agenda for Productivity and to accelerate the country's program for global excellence and international competitiveness.

SEC. 3. *Objectives of the Council*. The Council aims to ensure a united effort on productivity improvement and the effective implementation of the National Action Agenda for Productivity. Specifically, it aims to:

- a. Propagate the culture of productivity as a way of life and instrument of sustaining broad-based development and thereby improving the quality of life of all Filipinos;
- b. Maximize the coordinated participation of all sectors in the implementation of the NAAP at the national and regional levels; and
- c. Rationalize the role of the public sector to support the key role of the private sector in the productivity movement.

SEC. 4. *Composition of the Council*. The Council shall be chaired by the Secretary of Socio-Economic Planning. There shall be two Vice-Chairpersons to be appointed by the Chairperson, one representing the labor sector and another representing the business sector. The Vice-Chairperson for

the labor sector shall be nominated by the Secretary, Department of Labor and Employment and the Vice-Chairperson for the business sector shall be nominated by the Secretary, Department of Trade and Industry. The heads of the following agencies/organizations shall serve as members of the Council:

Public Sector

- a Department of Agriculture
- b Department of Budget and Management
- c Department of Education, Culture and Sports
- d Department of Environment and Natural Resources
- e Department of the Interior and Local Government
- f Department of Labor and Employment
- g Department of Science and Technology
- h Department of Trade and Industry
- i Commission on Higher Education
- j Technical Education, Skills and Development Authority
- k Development Academy of the Philippines
- l University of the Philippines

Private Sector

- a Trade Union Congress of the Philippines
- b Labor Advisory and Consultative Council
- c Federation of Free Farmers
- d Employers' Confederation of the Philippines
- e Philippine Chamber of Commerce and Industry
- f Philippine Quality and Productivity Movement
- g Management Association of the Philippines
- h Philippine Society for Quality Control
- i Production Management Association of the Philippines
- j Philippine Association of Technological Education
- k Federation of Philippine Industries

The Council may invite the Civil Service Commissioner to be a member of the Council. The Council may also call on the assistance of other government agencies and private sector organizations, whenever necessary.

Technical and administrative support to the Council shall be provided by a Joint Secretariat to be headed by the National Economic and Development Authority, with the Department of Labor and Employment/National Wages and Productivity Commission, Department of Trade and Industry, and the Development Academy of the Philippines as members.

SEC. 5. Functions. The Council shall have the following functions:

- a Coordinate, monitor and evaluate the implementation of the National Action Agenda for Productivity to make sure that programs and projects in the Agenda are implemented by the concerned sectors, agencies, or organizations;

-
- b Recommend performance measures/indicators of productivity for both the public and private sectors at the national, local and sectoral levels which may be used to monitor and assess annual performances;
 - c Facilitate a review of existing productivity organizations in the public sector, and recommend, if necessary, an institutional set-up that can most effectively support the sustained and coordinated implementation, assessment and updating of the National Action Agenda for Productivity;
 - d Coordinate the preparation of regional action agenda on productivity together with the Regional Development Councils (RDCs) and the Department of the Interior and Local Government (DILG);
 - e Formulate an advocacy program to encourage firms to adopt productivity related measures and to instill in every Filipino the importance of productivity as an important value and work ethic; and
 - f Submit an annual report to the President and the NEDA Board on the implementation of the NAAP.

SEC. 6. *Role of the Technical Working Groups.* The Technical Working Groups on Agriculture, Industry and Services, and the Public Sector created under AO 267 (s. 1996), under the direction of the Council, shall take charge of implementing their respective sector's work programs on productivity.

SEC. 7. *Funding.* The Department of Budget and Management is hereby directed to provide funds necessary to support the activities of the Council in 1997. Henceforth, budget for the operations of the Council shall be incorporated in the budget of the National Economic and Development Authority. If necessary, government agencies involved in the implementation of the National Action Agenda for Productivity shall include in their respective budgets the necessary funds required for the works programs where they are involved. Private sector partners may also provide funds for the implementation of the National Action Agenda for Productivity.

SEC. 8. *Effectivity* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 396
PROVIDING THE INSTITUTIONAL FRAMEWORK FOR THE ADMINISTRATION OF THE
STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING
FOR SEAFARERS IN THE PHILIPPINES

WHEREAS, the Philippines is an active member of the International Maritime Organization (IMO) and thus, is in agreement with the standards on training, certification and watchkeeping for seafarers (STCW Code) set during the 1978 IMO Convention, as amended in 1995;

WHEREAS, the STCW Code shall foster greater efficiency and promote the development of the respective maritime industry of IMO member-countries;

WHEREAS, compliance by the Philippines with the STCW Code shall promote the interest and welfare of the Filipino seafarers and ultimately, promote national growth and development;

WHEREAS, there is a need to establish an institutional framework for the administration of the STCW Code in the country to ensure the compliance by the Filipino seafarers with the above standards.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of the herein institutional framework for the administration of the STCW in the country.

Section 1. *Lead Agency for STCW Administration.* The Maritime Industry Authority (MARINA) shall be the lead agency in the implementation of the STCW Code in the country. As such, it shall ensure the compliance by all Filipino seafarers with the standards set forth under the Code. Towards this, MARINA shall prepare and submit to the Maritime Training Council, through the STCW Executive Committee which is also created under this Order, an annual work program for approval of the Council.

Section 2. *Establishment of the STCW Executive Committee.* The Maritime Training Council shall create an STCW Executive Committee from among its members, with the DOLE Secretary as Chairman, MARINA Administrator as Vice-Chairman, and the Chairpersons of Commission on Higher Education (CHED) and Professional Regulation Commission (PRC) and Philippine Coast Guard (PCG) Commandant as regular members, to provide the overall policy and operational directions in the administration of the STCW in the country.

As may be necessary, the Council may expand the membership of the Committee to include the Department of Health; Technical Education and Skills Development Authority; Philippine Overseas Employment Administration; National Telecommunications Commission; Overseas Workers Welfare Administration and concerned private sector representatives.

Section 3. *Secretariat.* The MARINA shall establish and head a permanent Secretariat to provide technical and administrative support in the implementation of the STCW Code in the country.

Section 4. *Implementing Rules and Regulations.* The STCW Executive Committee shall immediately convene to prepare and approve the Implementing Rules and Regulations for the effective implementation of this Order.

Section 5. *Frequency of Meetings.* The above Executive Committee shall meet at least once every quarter during which, MARINA shall submit a status report on the country's compliance with the STCW Code, and other agenda items which may be agreed upon by the Executive Committee.

Section 6. *Reports.* The STCW Administrator, through the Executive Committee, shall provide the President a quarterly report on the status of the country's compliance with the STCW.

Section 7. *Funding.* The budget for the administration of the STCW Code shall be sourced from the budgetary outlay of the Council from the Welfare Fund created under LOI 1694, as amended, subject to the accounting and auditing rules and regulations.

Section 8. *Effectivity.* This order shall take effect immediately.

DONE in the City of Manila, this 30th day of January, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 397

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 50% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE BRAND-TO-BRAND COMPLEMENTATION SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on ASEAN Industrial Complementation (BAAIC) signed in Manila on 16 June 1981;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding (MOU) on the Brand-to-Brand Complementation (BBC) Scheme for the Automotive Industry under the BAAIC signed by the ASEAN Economic Ministers in Pattaya, Thailand on 18 October 1988;

WHEREAS, the Philippines is a participating country in the approved BBC Schemes of Honda Motor Co., Ltd. and Toyota Motor Corporation along with Indonesia, Malaysia and Thailand;

WHEREAS, at the ASEAN Senior Economic Officials Meeting held on 7-8 November 1995, it was agreed that under the Honda BBC Scheme, the Philippines will import from Indonesia, Malaysia and Thailand certain completely-knocked-down (CKD) component parts for the original equipment manufacture (OEM) of passenger cars of the Accord 4 Door SV8, Civic 4 Door SY6 and EK 4 Door Sedan SX8 Models, in exchange for Philippine exports of complementary component parts to the three participating countries;

WHEREAS, under the Toyota BBC Scheme approved on an ad referendum basis by Indonesia on 12 December 1995, by Malaysia on 28 November 1995 and by the Philippines on 12 January 1996, the Philippines will import engine assembly from Indonesia for the original equipment manufacture of TUV commercial vehicles for the transport of passengers and goods in exchange for Philippine exports of transmission components to Indonesia;

WHEREAS, at the Meeting of the ASEAN Senior Economic Officials (SEOM) held in Jakarta, Indonesia on 3-5 June 1996, it was agreed that under the Toyota Motor Corporation BBC Scheme, the Philippines will import inlet air cleaner from Thailand for the original equipment manufacture of Corolla passenger cars in exchange for Philippine exports of transmission assembly to Thailand;

WHEREAS, under the MOU on the BBC Scheme in the Automotive Industry, the Philippines shall grant a minimum 50% Margin of Preference (MOP) to BBC products approved by the SEOM subject to the terms and conditions set out in Section 9(b) of said MOU;

WHEREAS, under Section 9(b)(i) of the said MOU, the 50% MOP for existing BBC products shall be granted within 90 days of approval of the BBC products by the SEOM, and for new BBC products, the grant shall be extended from the actual date of commercial production of the products, or upon expiry of 30 months from the date of approval of the products whichever comes earlier;

WHEREAS, the various component parts specified in Certificates of Eligibility (COEs) Nos. HM/2/B/96, HM/5/B/96, HM/8/B/96, HM/11/B/96, HM/17/B/96 and HM/24/B/96, re-issued

on 1 September 1996 in favor of Honda Motor Co., Ltd., are existing products, i.e., already being manufactured at the time of original approval by the SEOM held on 7-8 November 1995;

WHEREAS, the engine assembly, specified in Certificate of Eligibility (COE) No. TMC/6/A/95 issued on 23 January 1996 in favor of Toyota Motor Corporation, is a new BBC product whose commercial production started in February 1996;

WHEREAS, inlet air cleaner, specified in Certificate of Eligibility (COE) No. 014-1 issued on 24 June 1996 in favor of Toyota Motor Corporation, is a new BBC product whose commercial production started in July 1996;

WHEREAS, under paragraph b(ii) of Section 9 of the MOU, non-participating countries shall initially waive their rights under Chapter II, Article 8, paragraph 2, of the ASEAN Preferential Trading Arrangements (PTA) for the first four years from date of granting of MOP and shall thereafter enjoy the MOP granted by participating countries as soon as they extend the same MOP;

WHEREAS, under paragraphs b(ii) and b(iv) of Section 9 of the MOU, the waiver period shall be extended beyond the first four years for as long as the non-participating countries do not wish to grant the MOP up to a maximum waiver period of eight years. After the maximum eight-year waiver period, any entity in any member country, whether the member country is participating in the specific BBC Scheme or not, which produces the BBC product shall enjoy the same MOP in the participating countries for the BBC product.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 11 thereof. In effect, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated opposite each article as specified in Columns 12, 13, 14, 15 and 16 of Annex “A”.

SEC. 2. The articles specifically listed in Annex “B” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 12 thereof. In effect, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated opposite each article as specified in Columns 13, 14, 15, 16, 17 and 18 of Annex “B”.

SEC. 3. The MOP provided in Annex “A” on block assy cylinder and bumper parts for Accord 4 Door SV8 and Civic 4 Door SY6 passenger cars and on bumper parts and various component parts for EK 4 Door SX8 passenger cars, as specified in Annex “A”, shall be accorded exclusively to the BBC entity in Indonesia (P.T. Honda Prospect Engine Manufacturing), Malaysia (Honda Autoparts Manufacturing (M) Sdn. Bhd.) and Thailand (Honda Cars Manufacturing Thailand Co., Ltd.) effective from January 1, 1996 up to December 31, 1999. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Indonesia, Malaysia and Thailand shall then be extended up to December 31, 2003.

SEC. 4. The MOP provided in Annex “B” on engine assembly for TUV (Models KF42, KF52, CF50) motor vehicles for the transport of passengers and goods under the Toyota Motor Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Indonesia (P.T. Toyota-Astra Motor) effective from February 1, 1996 up to January 31, 2000. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the

non-participating country does wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Indonesia shall then be extended up to January 31, 2004.

SEC. 5. The MOP provided in Annex “B” on inlet air cleaner No. 1 for Corolla (Models EE 100, EE 101, AE 101) passenger cars under the Toyota Motor Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Thailand (Toyota Motor Thailand Co., Ltd.) effective from July 1, 1996 up to June 30, 2000. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Thailand shall then be extended up to June 30, 2004.

SEC. 6. The 50% MOP accorded under this Executive Order shall remain effective regardless of any subsequent changes in the basic Philippine rate of duty on the aforementioned articles.

SEC. 7. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annexes “A” and “B” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable BBC Preferential Tariff specified under Sections 1 and 2 hereof, subject to qualification under the Rules of Origin as prescribed in the Agreement on ASEAN Preferential Trading Arrangements, as amended.

SEC. 8. Any revision/s to the part numbers appearing in Column 4 of Annexes “A” and “B” shall be communicated immediately to the Bureau of Customs by the Department of Trade and Industry within five (5) days after receipt of the official copy of the revised part numbers from the ASEAN Secretariat.

SEC. 9. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annexes “A” and “B”

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 398
AUTHORIZING THE NATIONAL FOOD AUTHORITY TO INTERVENE IN THE
STABILIZATION OF THE PRICE OF SUGAR

WHEREAS, there is an urgent need to stabilize the prize of sugar which is a basic necessity under R.A. 7581, otherwise known as the Price Act, brought about by the low farmgate prices thereof to the detriment of farmer-producers;

WHEREAS, under Section 3 of Executive Order No. 1028, series of 1985, the President may, for stabilization purposes, authorize the intervention by the appropriate government entity in the trading of food items if so warranted by conditions that may exist from time to time;

WHEREAS, the National Food Authority, considering its capability, facilities and manpower in the marketing of grains and non-grain commodities, is deemed to be the most appropriate government agency to intervene in the stabilization of said commodity;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Intervention by the National Food Authority.* The National Food Authority is authorized to intervene in the stabilization of sugar prices and shall procure or cause the procurement of raw sugar in such volume as it may deem necessary in consultation with the Department of Agriculture, subject to the pertinent provisions of R. A. 7607, otherwise known as the Magna Carta of Small Farmers.

SEC. 2. *Funding.* For this purpose, the National Food Authority is authorized to make available its corporate funds, manpower and other facilities and use its credit lines, as well as the unremitted income accruing to the Competitive Enhancement Fund as derived from the incentives of the Minimum Access Volume Importation of Sugar.

SEC. 3. *Nature of Funds.* All disbursements, as well as administrative and operational expenses incurred by virtue hereof shall be treated as a Special Projects Account subject to the usual accounting and auditing rules and regulations.

SEC. 4. *Implementing Guidelines.* The National Food Authority, in consultation with the Department of Agriculture, shall issue the necessary guidelines to implement the provisions of this Executive Order, specifically the pricing mechanism, marketing and distribution strategies and monitoring system.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately and shall remain valid until June 30, 1997.

DONE in the City of Manila, this 31st day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 399
ESTABLISHING THE PRESIDENTIAL MINERAL INDUSTRY ENVIRONMENTAL AWARD

WHEREAS, it is the policy of the State to promote the efficient management of the environment and ecology in the exploration, development and utilization of the country's mineral resources to ensure sustainable development;

WHEREAS, the participation of the mining groups and companies are critical to enhance and sustain the government's efforts to foster efficient environmental management in the mining sector;

WHEREAS, in recognition of the private sector's initiatives and exemplary achievements in the protection of the environment and ecology in the mining sector, the Department of Environment and Natural Resources has recommended the granting of Presidential Award for such undertakings to further promote private sector participation and enhance public awareness on the protection of the environment and ecology;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Establishment of the Presidential Mineral Industry Environmental Award.* There is hereby established the Presidential Mineral Industry Environmental Award to recognize the exemplary efforts of the mining groups and companies in the country in achieving environmentally and socially responsible mining operations.

Section 2. *Categories of the Award.* The Presidential Mineral Industry Environmental Award shall be conferred every year on deserving groups and/or companies engaged in mining activities in the country under the following categories: mineral exploration; quarry operation; surface mining operation; underground mining operation; mineral processing; and research and development.

Section 3. *Eligible Participants.* All mining companies whether involved in exploration or active surface or underground mining and quarry operations in the country for at least a year at the time of the selection, may qualify for the Award.

Section 4. *Form of Award.* The Award shall be in the form of a Presidential Plaque of Commendation containing the citation and signature of the President.

Section 5. *Design Specifications.* The National Historical Institute of the Presidential Commission on Culture and the Arts shall prescribe the design specifications of the plaque.

Section 6. *Selection Criteria.* The criteria and selection mechanics for the Award shall be formulated by the Selection Committee which is also herein created. Such guidelines shall be in effect after due publication in newspapers of national circulation.

Section 7. *Selection Committee.* The Selection Committee is hereby created to administer the annual search and selection of the qualified recipients of the Award, subject to the final approval of the President. The Committee shall be co-chaired by the Secretary of the Environment and Natural Resources and the President, Philippine Chamber of Mines, with the Secretaries of Trade and Industry; Science and Technology; Interiors and Local Government; and of Health; and the Heads of the

Philippine Mine Safety and Environment Association, and of the Organization of Foreign Exploration and Mining Companies in the Philippines, as members. The Committee shall also formulate the necessary Implementing Rules and Regulations for the efficient implementation of the provisions of this Order.

Section 8. *Secretariat.* A permanent Secretariat shall be established by the DENR Secretary and shall be based at the Department, to provide technical and administrative support to the activities of the Selection Committee. The Secretariat shall be headed by the Director of the Mines and Geosciences Bureau with representatives from the Environmental Management Bureau and Forest Management Bureau as members.

Section 9. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of February, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 400
GRANTING CAREER SERVICE OFFICER RANK TO GRADUATES OF
MASTER IN PUBLIC SAFETY ADMINISTRATION OF THE PHILIPPINE PUBLIC SAFETY
COLLEGE AND OTHER RELATED PURPOSES

WHEREAS, the Philippine Public Safety College (PPSC) was established pursuant to Section 66 of Republic Act 6975, otherwise known as the “Department of Interior and Local Government (DILG) Act of 1990”, to serve as the premier educational institution for the training, human resource development and continuing education of all personnel of the Philippine National Police (PNP), the Bureau of Fire Protection (BFP) and the Bureau of Jail Management and Penology (BJMP);

WHEREAS, in conformity with its mandate, the PPSC, as authorized by the Board of Trustees and implemented in DILG Training Directive No. 001, series of 1994, has offered through its National Police College a one year course leading to a Master’s Degree in Public Safety Administration (MPSA);

WHEREAS, the PPSC Masteral Program is with the full concurrence and cognizance of the Commission on Higher Education;

WHEREAS, the pre-qualification requirements for admission, as well as the Program of Instruction (POI) for the Master’s Degree in Public Safety Administration fully satisfy the training and pre-qualification requirements for appointment to the Career Executive Service, similarly granted to the graduates of Master in National Security Administration of the National Defense College of the Philippines pursuant to Executive Order No. 696, series of 1981, as amended in Executive Order No. 771, series of 1982;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Grant of Rank. - Graduates of Master in Public Safety Administration (MPSA) of the Philippine Public Safety College, belonging to the government service shall be granted the rank of CESO VI with the corresponding salary grade of 25 and other privileges in the Career Executive services.

SEC. 2. Preference in Promotion. - They shall also be given preference in promotion to existing vacant positions, as well as assignments to higher responsibilities, particularly those involving policy administration in the Public Safety Services.

SEC. 3. Repealing Clause. - All executive orders, administrative orders, proclamations, rules and regulations or parts thereof that are in conflict with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. Effectivity Clause. - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 11th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 401
AMENDING EXECUTIVE ORDER NO. 359 ENTITLED “ADJUSTING THE DIVIDEND RATES
OF SELECTED GOVERNMENT OWNED AND/OR CONTROLLED CORPORATIONS ON
THEIR 1995 EARNINGS PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656”

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Section 1 of Executive Order No. 359 dated 16 August 1996 entitled “Adjusting the Dividend Rates of Selected Government Owned and/or Controlled Corporations on their 1995 Net Earnings Pursuant to Section 5 of Republic Act No. 7656” to include the National Power Corporation which shall declare cash dividends adjusted from fifty percent (50%) to ten percent (10%).

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 402
CREATING A NATIONAL ORGANIZING COMMITTEE FOR THE PHILIPPINE HOSTING
OF THE PHILIPPINE INTERNATIONAL GARDEN FESTIVAL (FLORIKULTURA '98)

WHEREAS, in preparation for and to ensure the success of the Philippines' bid to host the World Expo 2002, Executive Order No. 177 was issued on 16 May 1994 establishing the World Expo 2002 Philippine Commission;

WHEREAS, the Philippine government, through the World Expo 2002 Philippine Commission, in its desire to promote the Philippines as a venue for world expositions and recognizing horticulture as an art and a science which contributes to the proper stewardship of the land, will host the first international horticulture exhibition in Southeast Asia on January 11-21, 1998 at the Philippine Christmas Village, entitled "Philippine International Garden Festival" (FLORIKULTURA '98);

WHEREAS, FLORIKULTURA '98 will carry the theme "*Gardens of the World*", and will draw participation from local and foreign entities whose interests are related to horticulture and the environment and will continue as a national horticulture event for three (3) months or until 31 March 1998;

WHEREAS, the holding of FLORIKULTURA '98 at the Philippine Christmas Village, with its trade and tourism potential, is seen as a catalyst to help bring about the rehabilitation of Pampanga, which was devastated by the eruption of Mount Pinatubo in 1991;

WHEREAS, in addition to its trade and tourism benefits to the country, the hosting of FLORIKULTURA '98 will also enhance the environment and world awareness of the Philippine government's program on ecotourism and showcase the capability of the Philippines in hosting international events;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *National Organizing Committee.* A National Organizing Committee (NOC) for FLORIKULTURA '98 is hereby created under the World Expo 2002 Philippine Commission, Office of the President, to be composed as follows:

- | | | |
|-----------------------|---|---------------------------------|
| 1. Chairperson | - | Secretary of Tourism |
| 2. Co-Chairperson | - | Secretary of Agriculture |
| 3. Vice Chairperson | - | Secretary of Trade and Industry |
| 4. Board of Advisers: | | |

a. Government Sector

- | |
|---------------------------------|
| 1. Secretary of Foreign Affairs |
| 2. Secretary of Finance |

3. Secretary of Public Works and Highways
4. Secretary of Environment and Natural Resources
5. Secretary of Transportation and Communications
6. Secretary of Budget and Management
7. Governor of Pampanga
8. Mayor of San Fernando, Pampanga
9. President and Chief Executive Officer, Clark Development Corporation
10. Chairman, University of the Philippines Department of Horticulture

b. Private Sector

1. President, Federation of Cutflower and Ornamental Plant Growers of the Philippines, Inc.
2. Chairman, Philippine Airlines
3. Chairman of the Paskuhan Village Foundation, Inc.
4. President, United Architects of the Philippines
5. President, Philippine Chamber of Commerce and Industry
6. President, Philippine Exporters Federation
7. President, Philippine Association of Landscape Architects

The members of the Board of Advisers of the National Organizing Committee (NOC) may designate an alternate to represent them at the Committee within thirty (30) days from the effectivity of this order. The members shall submit the names of their representatives and/or alternates to the NOC Secretariat.

SEC. 2. Government Support. All government-owned and controlled corporations are directed to extend their assistance and support to FLORIKULTURA '98 to ensure its successful observance. The specific assistance requested from concerned government entities is stated in Annex A.

Said government entities are encouraged to organize related meetings, conventions, exhibitions and other national, regional or international events at the Philippine Christmas Village to coincide with FLORIKULTURA '98 to maximize the event.

SEC. 3. Authority and Functions of the National Organizing Committee. The Committee shall exercise the following functions and responsibilities:

- a. Formulate and implement a workplan and budget for the proper hosting of FLORIKULTURA '98 and monitor all activities in relation thereto;
- b. Act as the coordinating body between the private sector and various government agencies to ensure that all directives subsequently issued to the said agencies for the planning, operationalization and management of FLORIKULTURA '98 are enforced;
- c. Accept or receive donations and other conveyances by gratuitous title of funds, materials and devices for use in the planning, implementation and management, subject to the usual accounting and auditing rules and regulations;
- d. Call on any department, bureau or office of the Government, including government-owned and controlled corporations for any assistance that may be necessary to carry out the purpose of this Executive Order; and
- e. Enter into agreements/contracts necessary for the attainment of the objectives of this Executive Order.

SEC. 4. *Executive Committee.* The National Organizing Committee (NOC), through the Chairperson, may create an Executive Committee composed of representatives from the government and private sectors enumerated in Section 1 hereof.

SEC. 5. *Secretariat.* The NOC, through its Chairperson, shall establish a Secretariat headed by a Secretary-General, which shall oversee and supervise the day-to-day implementation and over-all preparations for FLORIKULTURA '98;

The NOC Chairperson may call on any or all agencies of government represented in the Committee to assign or detail a senior official, at the level of no less than a Division Chief, to the Secretariat. The Commission shall provide such employees with honoraria or allowances as may be allowed by law and at rates consistent with those prescribed pursuant to the Unified Compensation and Position Classification System established under R.A. No. 6758.

SEC. 6. *Funding.* The funds necessary for the hosting of FLORIKULTURA '98, including operations of the NOC, its Secretariat and sub-committees, shall come from the following:

- a. Subject to approval of the President, an allocation from available funds of the Office of the President;
- b. Allocation in the amount of Ten Million Pesos (P10,000,000.00) from the World Expo 2002 Philippine Commission;
- c. Allocation from the Department of Tourism Trust Liability Account in the initial amount of Twenty Five Million Pesos (P25,000,000.00);
- d. Allocation from the regular budgets and/or contingency funds of the concerned government Departments and Bureaus in relation to their respective roles/responsibilities in this event, as indicated in Annex A, subject to existing auditing rules and regulations;
- e. Proceeds from booth rental fees of local and foreign commercial exhibitors and other merchandising activities.

SEC. 7. *Coordination with the Private Sector.* The FLORIKULTURA '98 National Organizing Committee shall consult and closely coordinate with the Federation of Cutflower and Ornamental Plant Growers of the Philippines, Inc. and other private sector organizations in the horticulture industry.

SEC. 8. *Report to the President.* Relative to the performance of its mandated functions, the Committee, through its Chairperson, shall submit periodic reports to the President, and a final report within a reasonable period after the closing rites of FLORIKULTURA '98.

SEC. 9. *Cessation of the Committee.* The Committee shall cease to exist sixty (60) days after the submission of its final report, provided in Section 9 hereof, unless otherwise ordered by the President.

SEC. 10. *Repealing Clause.* All orders and issuances or parts thereof inconsistent with the provisions of this Executive Order, are hereby repealed or modified accordingly.

SEC. 11. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 403

**ADOPTING A PHILIPPINE TOURISM HIGHWAY PROGRAM TO FURTHER
DEVELOP AND PROMOTE THE TOURISM POTENTIALS OF THE COUNTRY
AND CREATING THE PRESIDENTIAL TASK FORCE THEREOF**

WHEREAS, it is the policy of the State to develop and promote the tourism potentials of the country as part of national development efforts for the furtherance of the empowerment of the Filipino people and continued enhancement of the competitiveness of the Philippine economy;

WHEREAS, the National Tourism Program of the Department of Tourism provides for a focused and sustained approach to develop and promote the tourism areas of the country among domestic and foreign tourists;

WHEREAS, there is a need to establish an integrating mechanism to ensure focused and sustained government efforts to ensure the viability of the tourism areas, in terms of safe, easy and affordable access to domestic and foreign tourists;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Establishment of the Philippine Tourism Highway Program.* There is hereby adopted a Philippine Tourism Highway Program to serve as an integrating mechanism for the developmental and promotional efforts of government for the tourism areas of the country. It shall cover the national road network where tourism areas are located and which are necessarily the “scenic spot” portion of the tourism highway showcasing the splendor and beauty of the local landscape as well as its tourism attractions. Tourism areas shall include historical and other tourist attractions easily accessible through the tourism highway.

Section 2. *Framework.* The Philippine Tourism Highway Program shall be pursued to link the country’s tourism areas and attractions through the national highway system, to the north from Manila to Laoag City via the Cagayan valley Region and to the south from Manila to Mindanao via the Bicol and Eastern Visayas Regions. This shall promote the development and preservation of the tourism areas, as well as ensure their viability by enhancing their accessibility, safety, and affordability to domestic and foreign tourists.

Section 3. *Presidential Task Force.* There is hereby also created a Presidential Task Force to coordinate the effective implementation of this Order. It shall be chaired by the DOT Secretary with the DPWH Secretary as Vice Chairman and the Secretaries of DILG, DTI, DA, DENR, DOE, DOTC, DND and Heads of the National Historical Institute, National Power Corporation, National Youth Commission, Philippine Chamber of Commerce and Industry, Philippine Travel Agencies Association, and the Philippine Tour Operators Association, as members. As may be necessary, the Chairperson may expand the composition of the Task Force.

Section 4. *Coverage.* The road and tourism area coverage of the Program shall be identified by the Task Force, in coordination with the concerned regional tourism councils. The appropriate marker for these areas shall be caused to be installed by the Task Force, which shall also, in coordination with concerned agencies and LGUs, regulate and monitor the construction of structures and other activities

that may erode the aesthetic value, obstruct a scenic view or cause the degradation of these tourism areas.

Section 5. *Program Components.* The Task Force shall immediately formulate the project components of the Philippine Tourism Highway Program, including the identification of fund sources for the implementation thereof. These shall include the enhancement of the existing tourism attractions, to include the tourism-science-technology centers and battle monuments and war memorial markers; the construction and proper upkeep of the rest areas and view decks along the tourism highway; and the provision of adequate basic services (i.e., electricity, transportation and telecommunication facilities, and maintenance of peace and order). Also included are the implementation of the freedom trail program of the National Centennial Commission; the DTI-Program showcasing local products and the DOT Home-Stay Program.

Section 6. *Program Implementation.* The implementation of the project components of the Program shall be drawn from the funds of their respective implementing agencies which shall ensure their completion in time for the celebration of the centennial of Philippine independence. To augment the funding requirement for Program implementation, the Task Force may tap private sector investments under BOT schemes and/or donation from foreign and local organizations and financing groups.

Section 7. *Private Sector Participation.* The active participation of the private sector, including the youth groups and non-government organizations (NGOs) be tapped in the implementation of the Tourism Highway Program. This may include the involvement of the youth groups and non-government organizations in the maintenance of the rest areas; the business sector in the establishment of rest areas (one-stop tourism centers) in their respective localities; and the gasoline station operators in creating a more conducive tourism environment along the tourism highway.

Section 8. *Secretariat Support.* The DOT shall establish a Secretariat to provide technical and administrative support to the Task Force in the implementation of this Order. Where necessary, the Task Force may tap the assistance and cooperation of other government agencies and/or instrumentalities to effectively discharge its duties and functions.

Section 9. *Operational Budget.* A total of P25 Million shall be allocated from the Trust Liability Account and Savings of the DOT and its attached agencies, to fund the initial year operation of the Task Force, subject to existing accounting and auditing rules and regulations. The Task Force's operational budget for the succeeding years shall be included in the annual budgetary appropriation of the DOT.

Section 10. *Submission of Report.* The Task Force shall submit to the President a regular report on its activities, including policy and program recommendations to enhance the implementation of the Philippine Tourism Highway Program.

Section 11. *Effectivity* This Order shall take effect immediately.

DONE in the City of Manila, this 28th day of February, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 404

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 404 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 405
AUTHORIZING THE PHILIPPINE PORTS AUTHORITY (PPA) TO RECLAIM AND DEVELOP
SUBMERGED AREAS VESTED IN THE PPA FOR PORT-RELATED PURPOSES

WHEREAS, Article IV of Section 6 (b) x of Presidential Decree 857, series of 1975, as amended, otherwise known as the Revised Charter of the Philippine Ports Authority (PPA), granted the latter the power to reclaim, excavate, enclose or raise any part of the lands vested in the Authority;

WHEREAS, under subsection (a)iv of the same section, PPA has the duty to license, control, regulate and supervise any construction or structure within any Port District;

WHEREAS, the substantial increase in domestic and international seaborne trade requires the addition of facilities in identified major ports;

WHEREAS, due to limited available land areas, the expansion of these ports necessitate the reclamation of the contiguous submerged areas;

WHEREAS, land reclamation and development projects are capital intensive requiring huge financial outlays beyond the resources of the PPA;

WHEREAS, it is a declared government policy to encourage and harness private sector participation in undertaking infrastructure projects vital to economic development;

WHEREAS, proposals have been received from the private sector for the reclamation and development of reclaimed areas for port-related purposes;

WHEREAS, Section 6 of RA No. 6957, otherwise known as the Build-Operate-and-Transfer-Law, authorizes the grant of a portion or percentage of the reclaimed land as a repayment scheme, subject to constitutional requirements with respect to ownership of lands;

WHEREAS, Section 1 of Executive Order No. 525, series of 1979, requires all reclamation projects of any government agency or entity authorized by its charter shall be undertaken in consultation with the Public Estate Authority (PEA) upon approval of the President;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Philippine Ports Authority to reclaim and develop submerged areas vested in the PPA exclusively for port-related purposes.

SECTION 1. Joint Venture Agreements. - Considering the capital intensive nature of reclamation projects, PPA is authorized to undertake said projects in conjunction with the private sector, in accordance with existing laws.

SEC. 2. Consultation with PEA. - All reclamation projects undertaken pursuant to this issuance shall be in consultation with PEA and subject to the approval of the President.

SEC. 3. Issuance of Patents. - The Department of Environment and Natural Resources (DENR), through the Land Management Bureau (LMB) shall, after reclamation, conduct an actual survey of the reclaimed area and thereafter issue the corresponding patent(s) in the name of the Philippine Ports Authority, subject to private rights, if any.

SEC. 4. Administration Over Reclaimed Areas. - The authority to administer, develop or dispose the land reclaimed pursuant to this Order is hereby vested in the PPA, subject to the provisions of existing laws.

SEC. 5. Implementing Rules and Regulations. - The PPA, in coordination with the proper agencies, is hereby directed to issue the rules and regulations to implement this Order within thirty (30) days from the date of issuance hereof.

SEC. 6. Repealing Clause. - All executive orders and issuances inconsistent with this Order are hereby repealed, amended or modified accordingly.

SEC. 7. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 406

INSTITUTIONALIZING THE PHILIPPINE ECONOMIC-ENVIRONMENTAL AND NATURAL RESOURCES ACCOUNTING (PEENRA) SYSTEM AND CREATING UNITS WITHIN THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA), AND NATIONAL STATISTICAL COORDINATION BOARD (NSCB)

WHEREAS, the Philippines has established a firm resolve to pursue sustainable development as contained in the Medium-Term Philippine Development Plan 1993-1998 and the Philippine Agenda 21. Towards this end, there is a need for integrated socio-economic and environmental plans, programs and policies;

WHEREAS, the Philippine System of National Accounts (PSNA), the basis for the formulation of medium-and long-term development plans, does not yet capture the role of the environment as a source of natural capital and as sink for the wastes generated by production and other human activities;

WHEREAS, there is a need to establish a PEENRA System as a satellite account to the PSNA to generate macro-indicators that shall reflect the relationships and interactions between the natural environment and the economy;

WHEREAS, the Philippine Agenda 21 includes as one of its targets the initial institutionalization of Environment and Natural Resources Accounting (ENRA) to develop a comprehensive indicator of sustainable development and to improve current efforts to consider and adequately value natural capital or ecosystem services in socio-economic decisions and establish a reliable database on social valuation estimates of environmental services;

WHEREAS, the APEC Senior Officials and Ministerial Meetings on Sustainable Development held in the Philippines in May and July 1996, respectively, recommended the introduction and adoption of Environmental and Natural Resources Accounting;

WHEREAS, the NSCB as the agency mandated to develop and maintain the PSNA, and the DENR and NEDA are currently performing functions in support of environment and natural resources accounting.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. *PEENRA and Other Units* - PEENRA Units shall be created within the organizational structures of the NSCB and the DENR. A unit at NEDA shall be designated to coordinate ENRA activities and NEDA's present personnel shall be augmented to assume such functions.

The PEENRA Unit at the NSCB shall:

- a. compile the environmental accounts, and study and formulate viable approaches and methodologies for the PEENRA;

-
- b. explore ways and means to modify and improve current environmental and economic statistics, in coordination with the concerned data producing agencies as well as data users;
 - c. serve as repository of all PEENRA-related data materials through the National Statistical Information Center which the NSCB has established;
 - d. provide technical and secretariat services to the Inter-Agency Committee and Task Forces which the PEENRA Steering Committee may create for the coordinated functioning of the data generating agencies; and
 - e. act as the secretariat of the PEENRA Steering Committee.

The designated Unit at NEDA shall:

- a. coordinate the conduct of consultations, orientations and training-seminars for the members of the Philippine Council for Sustainable Development (PCSD) and other concerned institutions or units;
- b. coordinate the conduct of studies and research in support of policy development related to PEENRA; and
- c. establish mechanisms for the integration of environmental considerations in planning, policy, project development and implementation based on PEENRA results.

The PEENRA Unit at DENR shall:

- a. compile sectoral resource accounts, and study and formulate viable approaches and methodologies in coordination with NSCB;
- b. conduct studies and research in support of policy development related to PEENRA;
- c. ensure that environmental considerations are integrated in their policy, project planning and implementation based on PEENRA results; and
- d. provide environmental and natural resources data and strengthen its statistical capabilities for PEENRA.

The above PEENRA units shall closely coordinate to ensure consistency/complementarity of activities in support of PEENRA system.

Other agencies which will provide inputs to and adopt the PEENRA system may establish their own PEENRA units as necessary.

SEC. 2. Data Support - The NSCB shall designate the required environment and economic statistics and the agencies/bureaus which shall be responsible for generating such data.

SEC. 3. Creation of PEENRA Steering Committee (PEENRA-SC). A Steering Committee on PEENRA is hereby created which shall initially include the NSCB, DENR, NEDA, NSO, DTI and DA. The PEENRA-SC shall provide directions for the coordinated functioning of the PEENRA Units. It shall create ad-hoc or permanent inter-agency committees and task forces which will support the data and technical requirements of the PEENRA. The member agencies shall be represented by designated Undersecretary level officials for DENR, DTI, NSO, and DA and the NSCB. There will also be representatives from the non-government sector to include one (1) representative each from the academe, NGO/PO, business and labor sectors. The Secretary of Socio-Economic Planning and NEDA Director-General, as the chairman of the PCSD, shall act as the Chairman of the PEENRA-SC.

SEC. 4. Funding - The PEENRA-SC shall submit a budget proposal, for approval of the President, to be sourced from the participating agencies' savings and such other sources as may be identified for

the initial funding. Subsequent funding shall be included in the budget preparation of each agency to be incorporated in the annual General Appropriations Bill.

SEC. 5. *Implementing Rules* - The PEENRA-SC is hereby directed to prepare and adopt guidelines to implement the specific provisions of this Executive Order.

SEC. 5. *Effectivity*. This Order shall take effect immediately.

DONE in the City of Manila, this 21st day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 407
PROVIDING FOR THE GUIDELINES ON THE ALLOCATION, RELEASE
AND MANAGEMENT OF THE 1997 POVERTY ALLEVIATION FUND

WHEREAS, human resource development and poverty alleviation together with measures to establish globally competitive industries are vital components in the government's objective of reducing the nation's poverty incidence from 35.7 percent in 1994 to 30 percent by 1998;

WHEREAS, to focus initial intensive poverty alleviation measures, the 1996 Poverty Alleviation Fund was implemented in the most depressed and isolated provinces of the country namely, the twenty priority provinces, and those in Mindanao, particularly the Autonomous Region of Muslim Mindanao (ARMM);

WHEREAS, the 1996 National Anti-Poverty Summit defined the priority geographic areas where the SRA shall be implemented: (1) all regions, particularly ARMM; (2) all provinces, particularly the 20 priority provinces; (3) all municipalities, particularly 5th and 6th class municipalities; and, (4) convergence sites as ecosystems;

WHEREAS, in order to make further headway in the war against poverty and institutionalize the minimum basic needs (MBN) approach and convergence policy necessary to enhance the effectiveness of government anti-poverty programs, the other depressed communities in the country particularly those in the fifth and sixth class municipalities, as well as those urban poor communities in the cities outside the National Capital Region (NCR), must be drawn into the focus areas of the Social Reform Agenda;

WHEREAS, the 1997 General Appropriations Act provides for a Poverty Alleviation Fund (PAF) to address the six most unmet basic minimum needs of poor communities based on initial surveys of the Presidential Commission to Fight Poverty (PCFP) and the Department of Social Welfare and Development (DSWD), and enable the full installation and institutionalization of the MBN approach and a community-based information system (CBIS) for poverty tracking;

WHEREAS, to facilitate the multi-level and multi-dimensional implementation of the PAF, there is a need to clearly inform and advise all concerned on the allocation formula and access procedure that will be adopted in the utilization of the PAF;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of the following guidelines for the allocation and implementation of the 1997 Poverty Alleviation Fund, net of reserves and administrative overhead cost:

SECTION. 1. The installation and maintenance of the MBN/CBIS shall be implemented nationwide, giving priority to the nationally-coordinated and locally-initiated convergence areas in the fifth and sixth class municipalities. The National Statistics Office (NSO) with the Presidential Commission to Fight Poverty (PCFP), the Department of Social Welfare and Development (DSWD) and the Department of Interior and Local Government (DILG) shall allocate the funds and implement

the program on the basis of the status and funding requirements on the Minimum Basic Needs - Community Based Information System (MBN-CBIS) installation in each municipality.

SEC. 2. The resettlement and housing program components to be administered by the National Housing Authority (NHA) and the National Home Mortgage and Finance Corporation (NHMFC) shall be equitably or equally allocated to all convergence areas in cities outside of the NCR, considering the ability of the cities to finance resettlement and housing programs as measured by their average per capita incomes of the last three years and the number of poor households in the said localities. The allocation of funds among the cities shall be done together with the League of Cities. The resettlement program shall give priority to the implementation of programs in NHA pre-identified sites while the housing programs shall be implemented as part of the Community Mortgage Program of the NHMFC.

SEC. 3. The rest of the six (6) other program components of the PAF with total funding of P1.4908 billion, shall be implemented in the fifth and sixth class municipalities of the country's 77 provinces.

SEC. 4. Each program component of the PAF shall be administered by the designated principal agencies in coordination with their partner agencies, SRA Regional/Provincial/Municipal Technical Working Groups (TWGs) and the concerned provincial and municipal chief executives.

SEC. 5. The identification and implementation of the specific projects to be funded from the PAF shall be, to the extent possible, devolved to the concerned municipal government in accordance with the objective of the PAF to build capabilities of the local government units, particularly the poorest municipalities, in the development and implementation of anti-poverty programs. The principal implementing agencies, partner agencies and their regional and provincial offices, and the provincial government units shall provide the requisite technical assistance to the municipal governments to enable this.

SEC. 6. The beneficiary city and municipal LGUs shall contribute to the cost of implementing the PAF projects in their localities as their stake in the implementation of the projects. In no case shall the cost sharing for each project be less than 10 percent of the total project cost.

SEC. 7. Principal implementing agencies may request realignment of the savings from each program component under the PAF to address the gaps in the provision of services needed in each of the target municipalities and cities, provided that the provincial entitlement provided for in Section 3 is maintained. The Oversight Committee hereinbelow created, shall review and endorse these requests to DBM for approval subject to existing budgeting and accounting rules and regulations.

SEC. 8. The concerned principal agencies in coordination with their partner agencies shall submit their individual program management guidelines and specifications of projects to be funded from the PAF no later than ten (10) calendar days from the approval of this Executive Order and Implementing Rules and Regulations to the Oversight Committee which shall review and approve these for dissemination to the concerned implementing national and local government units. The principal agencies shall provide their respective regional offices with this Executive Order and Implementing Rules and Regulations and their respective agency guidelines to ensure smooth implementation of the PAF at all levels.

SEC. 9. The appropriations for the PAF, excluding those for the housing, resettlement and MBN-CBIS programs, shall be released directly to the regional offices of the principal agencies to facilitate program implementation and monitoring of the progress in utilizing the PAF, subject to budgeting and accounting rules and regulations. Fund releases shall be based on the list of project packages and work plans submitted by the PAF-Regional Technical Working Groups (RTWG) within the time fixed by the Oversight Committee as stipulated in the Implementing Rules and Regulations.

SEC. 10. In the case of the Autonomous Region of Muslim Mindanao (ARMM), funds shall be released to the central offices of the principal agencies. Subsequently, the concerned principal agencies shall enter into a Memorandum of Agreement with the Office of the Regional Governor of the ARMM, who shall oversee the implementation of PAF by the local government units in the region.

SEC. 11. An Oversight Committee chaired by the SRA Lead Convenor, is hereby created to oversee the implementation of the PAF composed of representatives from the following agencies as members:

National Economic and Development Authority
Department of Budget and Management
Department of Interior and Local Government
Presidential Commission to Fight Poverty
Presidential Council for Countryside Development
League of Provinces of the Philippines
League of Municipalities of the Philippines
League of Cities of the Philippines
Liga ng mga Barangay sa Pilipinas
Representative from the SRC Basic Sector Counterpart Council (BSCC)

SEC. 12. The Oversight Committee shall undertake periodic review and revision of the PAF Implementing Rules and Regulations as the need arises.

SEC. 13. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 4th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
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MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 408

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 408 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 409
AMENDING SECTION 2 OF EXECUTIVE ORDER NO. 374 DATED 15 OCTOBER 1996
WHICH ESTABLISHED THE PRESIDENTIAL TASK FORCE ON WATER
RESOURCES DEVELOPMENT AND MANAGEMENT

I, **FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Section 2 of EO 374 dated 15 October 1996 entitled, “Creating the Presidential Task Force on Water Resources Development and Management”, and order the following:

SECTION 1. Section 2 is hereby amended to read as follows:

“Section 2. *Composition.* The Task Force shall have the following composition:

Chairman	Secretary, Department of Environment and Natural Resources
Vice-Chairman	Chairman, National Water Resources Board
Members	Secretary, Department of Energy
	Secretary, Department of Health
	Secretary, Department of Agriculture
	Secretary, Department of Interior and Local Government
	Secretary, Department of Science and Technology
	Director-General, National Economic and Development Authority
	Secretary General, National Statistics and Coordinating Board
	Administrator, MWSS
	Administrator, LWUA
	Administrator, National Irrigation Administration
	President, National Power Corporation
	General Manager, Laguna Lake Development Authority
	Chief Executive Officer, Housing and Land Use Regulatory Board
	President, League of Provinces
	President, League of Municipalities
	Three (3) representatives from the private sector, preferably from the environmentalist, water management and consumer groups to be designated by the Task Force Chairman

SECTION 2. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 15th day of April, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 410

REPEALING EXECUTIVE ORDER NO. 212, SERIES OF 1994, IN RECOGNITION
OF THE POWER OF THE PHILIPPINE PORTS AUTHORITY UNDER P.D. NO. 857
TO IMPLEMENT THE POLICY OF ACCELERATING THE DEMONOPOLIZATION
AND PRIVATIZATION OF GOVERNMENT PORTS IN THE COUNTRY

WHEREAS, the implementation of Executive Order No. 212, dated November 28, 1994, has been held in abeyance in line with the Memorandum of Understanding dated May 29, 1996 entered into by representatives of the government, the port workers and the cargo handlers due to concerns raised on the ramifications of its implementation;

WHEREAS, the Philippine Ports Authority, by virtue of its charter, Presidential Decree No. 857, has sufficient power and authority to achieve the objectives of accelerating the demonopolization and privatization of government ports in the country without the concomitant concerns generated by Executive Order No. 212;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby repeal Executive Order No. 212, series of 1994.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 1st day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 411
INSTITUTIONALIZING THE PRESIDENT RAMON MAGSAYSAY
OUTSTANDING FILIPINO WORKER AWARD

WHEREAS, the government recognizes the important role played by Filipino workers toward achieving the country's economic goals;

WHEREAS, there is a need to give recognition to, and further encourage, the invaluable support and contribution of Filipino workers to national development;

WHEREAS, it is fitting and proper to accord distinction to Filipino workers who are honest, hardworking, persevering, highly skilled and successful in their respective fields;

WHEREAS, the Technical Education and Skills Development Authority (TESDA), created pursuant to R.A. No. 7796 dated 25 August 1994, was tasked to promote and strengthen the quality of technical education and skills development program to attain international competitiveness and inculcate desirable values among Filipino workers through the development of moral character with emphasis on work ethics, self discipline and self-reliance; and

WHEREAS, the late President Ramon Magsaysay was a strong advocate for, and whose government service was a model of, excellence, commitment and hardwork.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of the President Ramon Magsaysay Outstanding Filipino Worker Award. There is hereby created the President Ramon Magsaysay Outstanding Filipino Worker Award to accord recognition to highly skilled and successful Filipino workers nationwide. There shall be two categories of the award, namely: the Wage-Employed Category and the Self-Employed Category.

The selection process for the awardees shall be undertaken at the regional and national levels.

SEC. 2. Awards Committee. There is hereby created an Awards Committee (AC) composed of TESDA Director-General as Chairman, with the following as members:

1. Assistant Secretary, Department of Labor and Employment;
2. Assistant Secretary, Department of Interior and Local Government;
3. Representative, Galing Pinoy Foundation; and
4. Four (4) private sector individuals who are recognized experts in their respective fields, to be determined by the Awards Committee.

Technical and Secretariat support to the Awards Committee shall be provided by TESDA.

Sec. 3. Functions of the Awards Committee. The Awards Committee shall have the following functions:

1. Initiate and coordinate necessary activities for the successful implementation of the awards;
2. Set guidelines/criteria for the evaluation of the regional and national nominees;
3. Report to the President on the status of the implementation of the awards; and,
4. Undertake other tasks or functions that maybe assigned by the President.

Sec. 4. Funding. The necessary amount that may be incurred in connection with the implementation of this order shall be charged against the regular budget of TESDA and the concerned agencies. TESDA may also engage in resource generation and mobilization activities, as may be allowed by law, to ensure the successful implementation of the awards.

Sec. 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 1st day of May, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 412
AMENDING EXECUTIVE ORDER NO. 84, SERIES OF 1993, BY RECONSTITUTING THE
COMPOSITION OF THE TAGAYTAY-TAAL PRESIDENTIAL COMMISSION

WHEREAS, the Tagaytay-Taal Presidential Commission was created pursuant to Executive Order No. 84, series of 1993, to enable the government to undertake measures to conserve the natural resources and promote the accelerated socio-economic development of Tagaytay City, its environs and the Taal Volcano Island, consistent with the concept of sustainable development;

WHEREAS, the Secretary of Tourism was named Chairman of the Commission with the Secretary of Environment and Natural Resources as the Vice-Chairman;

WHEREAS, there is a need to amend the constitution of the Commission in view of the overriding need for the protection of the environment, waste management, lake conservation and logical land use;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby amend Section 1 of Executive Order No. 84, series of 1993, by naming the Secretary of Environment and Natural Resources as Chairman and the Secretary of Tourism as Vice-Chairman of the Tagaytay-Taal Presidential Commission.

All executive issuances, orders, rules and regulations, or parts thereof inconsistent with this Executive Order are hereby revoked or modified accordingly.

This Executive Order shall take effect immediately.

DONE in the City of the Manila, this 6th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 413

CREATING AN INTER-AGENCY COMMITTEE TO OVERSEE THE TURNOVER
AND DEVELOPMENT OF PROPERTIES IN MAKATI HELD BY THE PHILIPPINE
DEVELOPMENT ALTERNATIVES FOUNDATION, INC. AND PRESIDENTIAL
COMMISSION ON GOOD GOVERNMENT TO THE NATIONAL
GOVERNMENT AND NATIONAL POWER CORPORATION

WHEREAS, the National Government of the Republic of the Philippines and the National Power Corporation (NPC) are the registered owners of parcels of land located in Makati consisting of 121,730 square meters covered by TCT Nos. 458364, 458365, 458366 and 458367 issued by the Registry of Deeds of Rizal (hereinafter referred to as “property”);

WHEREAS, the National Government together with the NPC executed a Lease Contract in January 1977 with the then Technological Resource Center Foundation, Inc. (TRCFI), now Philippine Development Alternatives Foundation, Inc. (PDAF), for a consideration of P1.00/sq.m./year for a period of twenty-five (25) years ending on December 31, 2002;

WHEREAS, the property was later determined to be a surrendered asset of the Presidential Commission on Good Government (PCGG) and government representation in the Board of Trustees of PDAF has been exercised by nominees of the PCGG;

WHEREAS, there has been a merger and recovery of all rights in the property to the National Government and the NPC, to which the aforesaid parties shall exercise full right of ownership, control, administration and supervision;

WHEREAS, there is a strong need to rationalize and coordinate the turnover of the control, management, administration and supervision of the PDAF to the aforesaid governmental entities to exercise full ownership over the property;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. There is hereby created an Inter-Agency Committee composed of the following:

Chairman	Executive Secretary
Members	The President, National Power Corporation
	The General Manager, Public Estates Authority
	The Solicitor General
	The Government Corporate Counsel

SEC. 2. The Inter-Agency Committee (IAC) shall:

- (a) exercise all powers granted to it under this Order to achieve the objectives enumerated beforehand including but not limited to the identification and designation of the nature

- and extent of said control, administration and supervisorial powers over the PDAF as a surrendered asset;
- (b) formulate rules, procedures and guidelines necessary for the immediate turnover of the property to the National Government and the NPC;
 - (c) coordinate with the Commission on Audit (COA) in the formation of an Auditing Task Force (ATF), which shall undertake the necessary investigation, inventory and audit of the assets of the PDAF; pursuant thereto, the IAC is hereby authorized to secure, acquire and cause the necessary submission of all documents, papers, financial records, official reports and communications of the PDAF and to acquaint itself on the management activities undertaken by the Board of Trustees of the PDAF;
 - (d) identify, determine and designate particular areas of the property which remain undeveloped and disposable and which may be subjected to economically viable projects as determined by the Committee; further, the IAC, with the approval of the President, may immediately undertake and implement joint venture projects agreed upon by the National Government and the NPC to make the idle portions of the property productive; provided, finally, that all proposed projects to be undertaken by the IAC shall comply with the existing laws, rules and regulations governing the use of public property;
 - (e) represent the National Government and/or the NPC in all matters affecting the property, particularly its developed portion, to ensure the protection of whatever rights the present occupants have over the land in order to achieve a feasible and acceptable turnover of the property to its rightful owners;
 - (f) pending the appointment of a regular Administrator of the property, to appear and represent the National Government and/or the NPC in any transaction, endeavor, action, or litigation brought concerning the property; and
 - (g) exercise such other functions as may be necessary in order to achieve the purpose of this Executive Order and as may be directed by the President.

SEC. 3. The NPC shall provide a Secretariat for the IAC. Expenses incurred by the IAC, including the honoraria for its members, which shall not exceed Six Thousand (~~₱~~6,000.00) Pesos a month, chargeable against the funds of the NPC, subject to availability of funds and applicable accounting and auditing rules and regulations.

SEC. 4. The Inter-Agency Committee shall submit a report to the President for information and/or disposition within sixty (60) days from issuance hereof.

SEC. 5. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 6. This Order shall take effect immediately.

DONE in the City of Manila, this 19th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 414

**AUTHORIZING THE DEPARTMENT OF TRADE AND INDUSTRY TO OVERSEE THE
PROGRESSION OF THE PLAN FOR THE ESTABLISHMENT OF THE ASIAN INSTITUTE
OF DESIGN AND TECHNOLOGY (AIDT)**

WHEREAS, the Philippines seeks to attain its vision of a newly industrializing country by the year 2000 through the twin strategies of global competitiveness and people empowerment;

WHEREAS, in pursuing this vision, the Philippine government should develop and strengthen its industries to be internationally competitive;

WHEREAS, the fashion industry is now faced with stiff competition in the global markets and will have to improve its global competitive position by upgrading its technologies and manpower skills;

WHEREAS, the Department of Trade and Industry (DTI) is empowered to develop the capabilities of industry to upgrade the quality of products according to competitive international standards;

WHEREAS, in response to new world developments, the DTI sees the need to establish a fashion design and technology institute that will develop the Philippine's fashion industry's human and technical resources in the fields of design, pattern making, manufacturing technology, merchandising and export marketing;

WHEREAS, the Fashion Institute of Technology (FIT), a state university of New York, and an internationally recognized institute in the field of art and design, business and technology, has assisted developing countries such as India and Brazil in establishing and later strengthening their respective institutes of design and technology;

WHEREAS, the FIT has extended its assistance to the DTI by allowing its faculty and experts to undertake the initial studies that will lead to the establishment of an Asian Institute of Design and Technology in Manila and to conduct training programs designed to upgrade the professional skills of the fashion industry workforce at subsidized rates;

WHEREAS, there is an urgent need to progress the plan to establish the AIDT into its implementation stage and to continue the conduct of the training programs which will help build up systems and programs that upgrade the technical skills of the fashion industry's manpower within the next three years;

WHEREAS, the Technical Education and Skills Authority (TESDA) was vested with the primary responsibility of formulating continuing coordinated and fully integrated technical education and skills development policies and was also empowered to review and recommend action to concerned authorities on proposed technical assistance programs for technical education or skills development;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Department of Trade and Industry, for a period of three years, to oversee the progression of the plan and implementation of establishing the Asian Institute of Design and Technology.

SECTION 1. Task of the Department of Trade and Industry. The Department of Trade and Industry shall exercise the following task and responsibilities as overseer of the Project:

-
1. Negotiate and conclude contracts with the Fashion Institute of Technology of New York in the continued conduct of the needed training programs for the garment export industry and other institutional capability building activities that will lead to the establishment of the AIDT; and
 2. Coordinate with the Technical Education and Skills Development Authority (TESDA) on matters of training design, content and implementation to ensure that the curricula address the needs of the fashion design export industry;

SEC. 2. Funding. The DTI is authorized to secure and provide the funds necessary for the implementation of the project and to authorize the Philippine Trade and Training Center (PTTC) to collect seminar fees and deposit said fees into revolving funds that will be used for the project.

SEC. 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) LUIS C. LIWANAG II

Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

Note: This issuance is followed by Executive Order No. 416, s. 1997.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 415

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 415 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 416

**DECLARING AND DELINEATING THE SAN JOSE (OCCIDENTAL MINDORO) PORT ZONE
UNDER THE ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY**

WHEREAS, the Port of San Jose (Occidental Mindoro) is one of the major and busiest ports in the country;

WHEREAS, there is a need to expand the Port Zone of San Jose (Occidental Mindoro) to accommodate the projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of San Jose (Occidental Mindoro) is hereby delineated and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 303.00 m with bearing S 66° 30' E, thence to point 3 at a distance of 652.00 m with bearing N 24° 30' E, thence to point 4 at a distance of 612.45 m with bearing N 65° 40' W, thence to point 5 at a distance of 685.00 m with bearing S 24° 30' W, thence to point 1, the point of beginning at a distance of 310.00 m with bearing S 70° 57' E, all in all comprising a total area of 405,467.91 sq. m. more or less.”

SECTION 2. The San Jose (Occidental Mindoro) Port Zone, as delineated, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SECTION 3. All other orders, proclamations, and issuances, or portions thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 4th day of June, in the year of our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) LUIS C. LIWANAG II
Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 417
DECLARING AND DELINEATING THE BASCO PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Basco has been identified as one of the major ports to be developed in the country;

WHEREAS, there is a need to construct the Port of Basco to accommodate the projected increases in port traffic and to program the provision of the necessary port facilities to meet the demands of maritime commerce and trade within the region;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Basco is hereby delineated and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 300.00 m with bearing N 50° 00' W, thence to point 3 at a distance of 110.00 m with bearing N 75° 00' W, thence to point 4 at a distance of 590.00 m with bearing N 45° 00' W, thence to point 5 at a distance of 1,000.00 m with bearing S 50° 00' W, thence to point 6 at a distance of 1,437.36 m with bearing S 10° 00' E, thence to point 7 at a distance of 1,450.18 m with bearing N 50° 00' E, thence to point 8 at a distance of 265.00 m with bearing N 59° 00' E, thence to point 9 at a distance of 167.00 m with bearing N 5° 00' W, thence to point 10 at a distance of 177.00 m with bearing N 15° 00' W, thence to point 1, the point of beginning at a distance of 16.00 m with bearing N 30° 00' W, all in all comprising a total area of 1,768.00 hectares more or less.”

SECTION 2. The Basco Port Zone is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SECTION 3. All other orders, proclamations, and issuances, or portions thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 4th day of **June**, in the year of our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) LUIS C. LIWANAG II
Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 418

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 418 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 419
DECLARING A MORATORIUM ON THE ESTABLISHMENT
OF DUTY-FREE STORES/OUTLETS IN THE PHILIPPINES

WHEREAS, Republic Act No. 7227 established among others, the Subic Bay Freeport Zone and Clark Special Economic Zone, to encourage, promote and accelerate the industrial, economic and social development of Central Luzon in particular and the country in general;

WHEREAS, pursuant to Executive Order Nos. 80, 97 and 97-A, business enterprises operating inside the Special Economic and Freeport Zones (SEFZs) of Subic and Clark have been granted tax and duty free incentives on their importations of raw materials, capital goods and equipment brought into the Subic and Clark SEFZs;

WHEREAS, pursuant to said policy, duty free stores/outlets have proliferated and product lines have expanded, further broadening the entry of duty free goods into the domestic economy;

WHEREAS, there is an urgent need to address the adverse effects on local manufacturing and retailing enterprises of these duty free goods entering through the duty free stores/outlets.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. There shall be a moratorium/suspension on the issuance of licenses/permits to operate new duty free stores/outlets in the SEFZs of Subic and Clark, until such time that the control systems as certified by the Bureau of Customs have been established. This moratorium shall cover all proposals for the issuance of new permits, opening of new stores/outlets, and expansion of existing duty free stores/outlets.

Section 2. All executive orders, letters of instructions, issuances, memoranda and proclamations which are inconsistent with the provisions of this Order are hereby repealed or amended accordingly.

Section 3. The provisions of this Order are hereby declared separable, and in the event one or more of such provisions or part thereof are declared unconstitutional, such declaration of unconstitutionality shall not affect the validity of the other provisions thereof.

Section 4. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 16th day of June, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) LUIS C. LIWANAG II
Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 420
MODIFYING THE RATES OF DUTY ON SUGAR AS PROVIDED FOR UNDER THE TARIFF
AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT
THE ASEAN PREFERENTIAL RATES OF DUTY THEREON

WHEREAS, the Philippines is committed to participate in the Common Effective Preferential Tariff (CEPT) Scheme;

WHEREAS, the government needs to provide certain agricultural sectors interim tariff adjustments to help the sector to be efficient and globally competitive;

WHEREAS, the government recognizes sugar as highly sensitive but considers it in its best interest to subject the same to a tariff reduction schedule similar to the one mandated under the CEPT Scheme;

WHEREAS, Sections 104 and 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in ANNEX “A” hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN preferential rate of duty in accordance with the 1997 schedule indicated in Column 4 of Annex “A”.

SEC. 2. In the event that subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex “A” to a rate lower than the rate prescribed in Column 4 of Annex “A”, such article shall automatically be accorded the corresponding reduced rate of duty.

SEC. 3. Should world market prices rise or increase to a level where the rates of duty herein specified would cause unfairly high prices to consumers, government may reduce the applied rate of duty temporarily or for the duration of said situation to such levels as may be deemed necessary.

SEC. 4. The Margins of Preference (MOP) accorded under the ASEAN Preferential Trading Arrangements (PTA) shall no longer be extended to any of the products listed in Annex “A” hereof.

SEC. 5. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area (CEPT-AFTA) signed on 28 January 1992.

SEC. 6. In the event that world market prices drop to a level where the domestic sugar industry suffers injury or imminent threat thereof through an import surge or a collapse in prices, government may authorize importations by a government agency or government controlled corporation.

SEC. 7. All presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 8. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Applicable ASEAN Rate of Duty on Sugar

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 421

FURTHER AMENDING EXECUTIVE ORDER NO. 203 DATED 27 SEPTEMBER 1994,
AS AMENDED BY EXECUTIVE ORDER NO. 356, DATED 12 JULY 1996.

WHEREAS, Executive Order No. 203, dated 27 September 1994, created the oversight and executive Committees for the Social Reform Agenda;

WHEREAS, Executive Order No. 203 was amended by Executive Order No. 356, dated 12 July 1996, to provide for the expanded membership of the Social Reform Council and the implementing guidelines on the institutional arrangements to fast-track SRA localization;

WHEREAS, one of the demands made by the Children/Youth/Students Sector was the creation of a separate Children's Sector with clearly defined and distinct programs, services and activities under the SRA;

WHEREAS, children below 15 years of age have social welfare needs that cut across all age levels, and disadvantaged children have unique problems and needs that should be addressed separately from that of students and youth;

WHEREAS, existing children's programs and services are focused on "survival" and "health" measures that are essential to their well-being, but lack activities that develop the responsibility of children to participate in community and governmental planning and decision-making;

WHEREAS, the United Nations Convention on the Rights of the Child and the Philippine Plan of Action for Children recognize the right of children to participate in associations, organizations and formal groups designed to promote their total growth and development;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Executive Order No. 203, dated 27 September 1994, as amended by Executive Order No. 356, dated 12 July 1996 to create a separate Children's Sector in the Social Reform Council and to encourage representation of Children in all relevant political, social and cultural structures of the government.

The Council for the Welfare of Children together with the Department of Social Welfare and Development, as the flagship champion for the Comprehensive and Integrated Delivery of Social Services and the Children's Sectoral Council of Leaders, shall spearhead and oversee the formulation of the National Children's Development Plan.

This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 20th day of June, in the year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 422
CREATING THE NATIONAL COMMITTEE ON THE GENERAL CONFERENCE
OF THE INTERNATIONAL FEDERATION OF AGRICULTURAL
PRODUCERS IN MANILA, 27 MAY - 4 JUNE 1998

WHEREAS, it is part of the government's policy thrusts to enhance the competitiveness of the local agricultural sector to attain food sufficiency and security, and therefore promote national growth and development;

WHEREAS, the improved competitiveness of the local agricultural sector shall likewise promote the welfare of the local agricultural producers, in particular that of the Filipino farmers and workers, and thereby advance the Social Reform Agenda of the government;

WHEREAS, the holding of the General Conference of the International Federation of Agricultural Producers (IFAP) in Manila from 27 May to 4 June 1998, which shall be participated in by the local farmer groups and agricultural producers to be led by the IFAP local affiliates, shall significantly serve the furtherance of the above policy thrust and Social Reform Agenda;

WHEREAS, the holding of the above IFAP conference in Manila is deemed part of the Department of Agriculture's program for the centennial celebration of Philippine Independence in 1998;

WHEREAS, there is a need to provide an overall coordinating mechanism to ensure the orderly and productive conduct of the IFAP conference in Manila;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. *Creation of the National Committee on the General Conference of the International Federation of Agricultural Producers.* There is hereby created a National Committee, hereafter referred to as the Committee, to ensure the orderly and productive holding of the General Conference of the International Federation of Agricultural Producers in Manila from 27 May to 4 June 1998.

Section 2. *Composition.* The Committee shall be composed of the following:

Secretary, Department of Agriculture	Chairman
Secretary, Department of Foreign Affairs	Co-Chairman
Head, IFAP Local Organizing Committee	Vice-Chairman
Secretary, Department of Agrarian Reform	Member
Secretary, Department of Environment and Natural Resources	Member
Secretary, Department of Trade and Industry	Member
Secretary, Department of Labor and Employment	Member
Secretary, Department of Interior and Local Government	Member
Secretary, Department of Tourism	Member
Secretary, Department of Transportation and Communications	Member
Secretary, Department of Public Works and Highways	Member

Secretary, Department of Science and Technology	Member
Director General, Philippine National Police	Member
Director General, National Economic and Development Authority	Member
Chairman, Metro Manila Development Authority	Member
President, Philippine Chamber of Commerce and Industry	Member
President, Philippine Exporters Confederation, Inc.	Member

Section 3. *Duties and Functions.* The Committee shall discharge the following duties and functions:

- a In coordination with the IFAP, formulate the appropriate program for the orderly and productive conduct of the above IFAP conference;
- b Promote and coordinate the active participation of the concerned government agencies and local private sector in the IFAP conference, including the sector-wide participation of the local farmers groups and agricultural producers;
- c Serve as the focal point of coordination and complementation between the government and IFAP relative to the activities of the conference; and
- d Perform other functions which may be deemed necessary by the President

The Committee may create such subcommittees and/or tap other government agencies or any of its instrumentalities for the efficient discharge of the above functions.

Section 4. *Secretariat Support.* The Department of Agriculture shall provide secretariat and administrative support to the Committee.

Section 5. *Funding.* The needed funding for the conduct of the above conference in Manila shall be jointly defrayed by the IFAP and the government. Government counterpart contributions thereto shall be determined by the Committee and shall be included in the budgetary appropriation of the Department of Agriculture for 1998. This shall also include the funds needed by the Committee and its Secretariat to effectively carry out the provisions of this Order.

Section 6 *Reportorial Requirement.* The Committee shall submit to the Office of the President, regular report on its activities, including a post-conference report highlighting the accomplishments of the Committee and of the conference.

Section 7. *Effectivity.* This Order shall take effect immediately.

Done in the City of Manila, this 25th day of June, in the Year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 423
AMENDMENTS TO THE GUIDELINES ON THE ENTRY AND STAY OF
FOREIGN STUDENTS IN THE PHILIPPINES AND THE ESTABLISHMENT
OF AN INTER-AGENCY COMMITTEE FOR THE PURPOSE

WHEREAS, it is the policy of the government to continuously promote the Philippines as a center for education in the region by (i) encouraging foreign students to study in the Philippines, (ii) developing awareness of the Philippine educational system by neighboring countries, and (iii) allowing duly accepted foreign students to avail of the facilities of the Philippine educational system;

WHEREAS, an increasing number of foreigners have expressed their desire to enter and study in the Philippines, and graduate from Philippine schools, colleges and universities;

WHEREAS, a procedure must be established to address national security and other concerns and determine the bonafide foreign students who wish to avail of the country's educational facilities;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Basic Policies and Procedure.* The following policies and procedures shall be observed by all entities concerned:

A. *Coverage.*

Only aliens who seek to stay temporarily in the Philippines solely for the purpose of taking up a course higher than high school at a university, seminary, academy, college or school duly authorized to accept foreign students and who are at least eighteen years of age at the time of enrollment and have means sufficient for their education and support of study are covered under this order.

B. *Acceptance of Foreign Students.*

Only schools whose programs are recognized by the Commission on Higher Education (CHED) shall be authorized to accept foreign students. The CHED shall prepare, at regular intervals, an updated list of such schools and forward the same to the Bureau of Immigration (BI). In the preparation of the list, the CHED and the BI shall consult each other, taking into account their respective mandates under existing laws and regulations. Copies of the list shall be furnished the BI, the Department of Foreign Affairs (DFA), the National Bureau of Investigation (NBI), the National Intelligence Coordinating Agency (NICA) and the schools authorized to admit foreign students. All schools authorized to admit foreign students shall establish a foreign students unit within their organization. To maintain its authorization, the school, through its foreign

students unit, shall religiously submit, one month after the end of each enrollment period, the acceptance/enrollment report on foreign students and a monthly status report to the BI, copy furnished the CHED and the NICA, with emphasis on whoever is missing, has transferred or dropped from the rolls. Failure to comply with the above requirements shall be a ground for cancellation by the CHED of the authority to admit foreign students.

- (3) The Certificate of Eligibility for Admission (CEA) addressed to the accepting school shall be issued by the CHED only in cases where restrictions exist on enrollment of foreign students due to shortage of facilities, such as enrollment in medicine and dentistry. Once issued, the CEA shall remain valid for the duration of the course of study, provided the student attends his classes and continues to receive satisfactory grades. Not later than sixty (60) days from the effectivity of this Executive Order, the CHED shall prepare for distribution to the DFA, BI, NBI, and NICA the list of schools authorized to accept foreign students and an updated list of programs or courses with restrictions or quota in enrolling foreign students due to shortage of school facilities. Said list may be updated by the CHED from time to time as may be necessary.
- (4) The CHED, in consultation with the DECS, shall provide all schools with comparative equivalencies between major foreign educational systems or programs and those of the Philippines. Should any question concerning equivalencies arise, the school concerned shall secure the comments of the CHED before accepting a foreign student for enrollment.
- (5) Enrollment in any level shall require completion of the lower particular level, for example, an applicant for the tertiary or collegiate level must be a graduate of high school or its equivalent.
- (6) The individual school may launch information campaigns to solicit and receive applications directly from prospective foreign students. The schools, for these purposes, may seek the assistance of the DFA and the Department of Tourism.
- (7) The foreign student communicates directly with the school and complies with the school's institutional requirements, which shall include the submission of the following documents:
 - a) Original copy of the student's Personal History Statement duly signed by him both in English and in his national alphabet accompanied by his personal seal, if any, and containing among others, his left and right hand thumbprints and a 2x2-inch photograph on plain white background taken not more than six months prior to submission.
 - b) Documentary proof of adequate financial support to cover expenses for the student's accommodation and subsistence, as well as school dues and other incidental expenses;
 - d) Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student applicant's country of origin or legal residence;
- (8) The school, satisfied with the student's compliance with its requirements, shall issue a Notice of Acceptance (NOA) to the student and submit a duplicate copy thereof to the DFA, together with a certified true copy of the CHED's CEA, when necessary, the original copy of the student's personal history statement, copies of the student's scholastic records and proof of the student's financial capacity/support. These documents shall be hand carried to the DFA by the school's designated liaison officer under a cover letter on the school's official stationery signed by the school's registrar and stamped with the school's official dry seal requesting that a student visa be issued to the person named therein. A copy of the NOA

issued to the student and the CHED's CEA, when applicable, shall be furnished by the school to the CHED and the BI.

- (9) The DFA indorses the documents to the Philippine Foreign Service Post located in the student's country of origin or legal residence for the issuance of the student visa after ascertaining the student's identity and admissibility under existing DFA regulations.

C Issuance of Visas.

Foreign students whose applications for student visas are approved are required to secure their visas from the Philippine Foreign Service Post in their country of origin or legal residence, regardless of where they are at the time of application.

Conversion from other visa category to that of a student visa shall not be permitted.

The Philippine Foreign Service Post shall notify, in writing, the student of the receipt of the documents and require him to appear in person before a Consular Officer for interview and compliance with consular requirements. In addition to the documents transmitted to the post by the DFA, the following requirements shall be submitted by the student to the Consular Officer:

- a) Original copy of the school's NOA containing a clear impression of the school's dry seal;
- b) Original copy of the CEA issued by the CHED, if enrolled in courses or programs where restrictions may exist due to shortage of facilities, as in Medicine or Dentistry;
- c) Police Clearance issued by the national police authorities in the student's country of origin or legal residence, authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place; and
- d) Medical Health Certificate issued by an authorized physician including standard-size chest x-ray;

The consular office shall not assume the task of determining the student's scholastic fitness for the program applied for and shall issue the student visa as soon as all the requirements are accomplished. A notice of visa issuance shall be furnished by the DFA to the school, the CHED, the BI, the NBI and the NICA as soon as it receives a report to this effect from the issuing post. The Foreign Service Post shall then forward a copy of all the foreign student's documents to the CHED for filing. Said documents shall be made available to the BI, NBI and NICA whenever necessary.

D. Arrival and Stay in the Philippines.

- (12) Upon arrival in the Philippines, the student, as part of the requirements for processing his entry, shall report immediately to the accepting school and shall enroll only in the school which issued his NOA. The school shall reassess the student's competency level and establish his scholastic comparative equivalence, if necessary.

The school shall assist the student in obtaining the necessary Alien Certificate of Registration (ACR) and Certificate of Residence for Temporary Student (CRTS) from the BI. The student's authorized period of stay shall be consistent with the length of the course of study to which he has been accepted by a Philippine school.

E. Monitoring.

- (14) Within a month after the close of enrollment period, the school, through its foreign students unit, shall report promptly to the BI, the CHED, and the NICA the names of foreign students who have been accepted but failed to enroll, either for the first time or for subsequent terms. Further, it shall submit a monthly status report of their foreign students to the BI as may be deemed necessary by the Committee. Finally, at the end of each term, the school shall also report to the BI, the CHED and the NICA those foreign students who have dropped out or failed to take the final examination for the term and those who have completed their courses. Non-compliance by schools to submit the reports shall be a ground for the cancellation by the CHED of their authority to accept foreign students.

The NICA and the NBI shall check, whenever necessary, the activities of foreign students brought to their attention which appear to be inimical to the security of the State. Criminal complaints filed against foreign students shall be referred to the NBI for investigation and appropriate action.

- (16) The BI shall investigate, apprehend and prosecute, if necessary, foreign students who are not complying with Philippine immigration laws and regulations. Violation of immigration laws and regulations shall be a ground for the cancellation of a student visa and the deportation of the student concerned.

F. Exemption.

The following shall be exempt from the coverage of this Executive Order:

- a) Tertiary enrollment in Philippine schools of the spouses and unmarried dependent children below 21 years old of the following categories of aliens shall not be required to secure student visa and the BI special study permit: (1) permanent foreign residents; (2) aliens with valid working permits under Section 9(d), 9(g) and 47(a)(2) of the Philippine Immigration Act of 1940, as amended; (3) personnel of foreign diplomat and consular missions residing in the Philippines; (4) personnel of duly accredited international organizations residing in the Philippines; (5) holders of Special Investor's Resident Visa (SIRV) and Special Retiree's Resident Visa (SRRV); and (6) foreign students coming to the Philippines with 47(a)(2) visas issued pursuant to existing laws, e.g. P.D. 2021. This privilege is also extended to the principals who may wish to take advantage of the educational facilities in the country.
 - b) Children who are already enrolled before their marriage and / or before reaching the age of 21 years shall be allowed to finish their studies without the need to secure a student visa and a BI special study permit as long as their principals remain in the country under any of the above-mentioned admission categories.
 - c) Spouses and children of personnel of foreign diplomatic and consular missions and duly accredited international organizations located in the Philippines who desire to remain in the Philippines to enroll for the first time or finish their studies higher than high school and qualify under prescribed regulations, shall be allowed to convert their admission category to that of a student visa under Section 9 (f) of
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the Philippine Immigration Act of 1940, as amended, in accordance with applicable procedure, in the event their principals lose their admission category as Foreign Government Official under Section 9 (e) of the Philippine Immigration Act of 1940, as amended. This privilege is also extended to the principals who may wish to take advantage of the educational facilities in the country.

SEC. 2. *Establishment and Composition of the Committee on Foreign Students.* There is hereby created an Inter-Agency Committee on Foreign Students herein referred to as the Committee, which shall have the following membership:

a. Commission on Higher Education	Chairman
b. Department of Foreign Affairs	Co-Chairman
c. Department of Education, Culture and Sports	Member
d. Bureau of Immigration	Member
e. National Bureau of Investigation	Member
f. National Intelligence Coordinating Agency	Member

SEC. 3. *Duties and Responsibilities of the Committee.* The Committee shall have the following duties and responsibilities:

- a. Promulgate simplified procedures and implementing guidelines governing the entry and stay of foreign students in the Philippines, as well as, rules and regulations limiting school transfers and course shifting of foreign students in accordance with the provisions of this Executive Order within sixty (60) days from the effectivity hereof;
- b. Monitor and coordinate the implementation of this Executive Order with the Departments and agencies concerned;
- c. Meet regularly to assess the progress of the whole program, to ensure that the promotion of the Philippines as a center for education in the region is effectively encouraged and undertaken;
- d. Request representatives from other agencies and/or the private sector to attend its meetings, when it deems necessary and proper; and
- e. Submit a semi-annual report to the Office of the President, through the Office of the Executive Secretary, on the status of the foreign students in the country. The reports shall be submitted before the end of September and February, of the first and second semesters, respectively, of each school year.

The CHED shall provide the secretariat to support the Committee in its functions.

SEC. 5. *Repealing Provision.* This Executive Order repeals all other executive issuances, regulations, or any parts thereof, which are inconsistent with the provisions of this Executive Order.

SEC. 6. *Separability Clause.* If for any reason, any part or provision of this Executive Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 7. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 25th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

Note: This issuance is followed by Executive Order No. 426, s. 1997.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 424

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 424 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 425

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 425 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 426
ENHANCING THE INTER-AGENCY COMMITTEE AGAINST PASSPORT
IRREGULARITIES (ICPI) TO ENSURE THE EFFECTIVE COORDINATION AMONG
CONCERNED AGENCIES IN THE INVESTIGATION, PROSECUTION AND
DISPOSITION OF CASES INVOLVING PASSPORT IRREGULARITIES

WHEREAS, the Philippine passport is one of the most important documents produced by the National Government, and it is its duty to ensure and protect the integrity of this valuable document as embodied in the Philippine Passport Act of 1996 (Republic Act 8239);

WHEREAS, there is an increasing number of passport irregularities and fraud cases conducted through the methodical manipulation and circumvention of the Philippine passporting system;

WHEREAS, cases of illegal sale and possession of Philippine passports by foreign nationals have increased;

WHEREAS, these fraudulent passports become tools for transnational terrorists and other criminal elements;

WHEREAS, such nefarious activities promote a negative image of the Philippine Government abroad, ultimately leading to a decrease in global credibility and prestige for the country;

WHEREAS, there is a need to enhance the mandate of the existing Inter-Agency Committee Against Passport Irregularities to constitute an operating arm to actively pursue the investigation, prosecution and disposition of cases involving passport irregularities and to facilitate and expedite government processes in the resolution of such cases;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Composition of the Committee.* There is hereby reconstituted an Inter-Agency Committee Against Passport Irregularities, hereinafter referred to as the Committee, to be composed of the following agencies:

Department of Foreign Affairs	Chairman
Department of Justice	Vice-Chairman
Department of Interior and Local Government	Member
Department of Tourism	Member
Bangko Sentral ng Pilipinas	Member
Bureau of Immigration	Member
National Bureau of Investigation	Member
Directorate for Intelligence, PNP	Member
Directorate for Operations, PNP	Member
National Intelligence Coordinating Agency	Member

Intelligence Service, AFP	Member
Philippine Overseas Employment Administration	Member
National Statistics Office	Member

The Chairman, Vice-Chairman and members of the Committee may designate their alternates who shall be senior officials of their respective Departments or agencies, with a rank not lower than Director.

SEC. 2. *Functions of the Committee.* The Committee shall have the following functions:

- a. Establish the blueprint for achieving a coordinated approach to the problem of passport fraud by defining the roles, obligations and accountabilities of each member department or agency;
- b. Collate and review existing passporting procedures, including the redesigning of a tamper-proof passport, and adopt and promulgate implementing guidelines for the effective enhancement of the integrity of the Philippine passport;
- c. Ensure the proper implementation of established procedures; and
- d. Call on any department, bureau or office of the Government, including government-owned and controlled corporations, to render such assistance as it may need in the discharge of its functions.

SEC. 3. *Composition of the Special Committee Sub-Group.* A special sub-group, hereinafter referred to as the Sub-Group, is hereby established within the Committee composed of representatives of the following:

- a. Department of Foreign Affairs
- b. Department of Justice
- c. National Bureau of Investigation
- d. Directorate for Intelligence, PNP
- e. Directorate for Operations, PNP
- f. National Intelligence Coordinating Agency
- g. Intelligence Service, AFP

SEC. 4. *Functions of the Special Committee Sub-Group.* The Sub-Group shall have the following functions:

- a. Conduct investigations, particularly pursuing and supporting entrapment and intelligence operations by law-enforcement agencies, of cases involving passport irregularities;
- b. Perform and serve as a forum for the effective coordination of the prosecution and final disposition of cases involving passport irregularities;
- c. Perform and serve as a forum for the exchange of intelligence on cases involving passport irregularities;
- d. Maintain a central database of information and intelligence on all cases involving passport irregularities; and
- e. Submit a quarterly report of its activities to the Committee.

SEC. 5. *Report to the President.* The Committee shall submit to the President a quarterly progress report on its activities.

SEC. 6. *Funding.* The amounts of **TWO MILLION FIVE HUNDRED THOUSAND PESOS (₱2,500,000.00)** for the second semester of 1997 and **FIVE MILLION PESOS (₱5,000,000.00)** for 1998 are hereby authorized to be set aside from the President's Contingent Fund. Subsequent appropriations shall be incorporated into the budget proposals of member agencies, particularly for those concerned with the investigation and prosecution of cases. Subsequent administrative expenses of the Committee, on the other hand, shall be included in the budget of the Department of Foreign Affairs, subject to existing accounting and auditing laws and procedures.

SEC. 7. *Repealing Clause.* All other Executive Orders, Administrative Orders, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* This Executive Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

DONE in the City of Manila, this 22nd day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 427
MODIFYING THE NOMENCLATURE AND RATES OF IMPORT DUTY ON CERTAIN
IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE
OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, the reduction in duty on the finished product to a level lower than its raw material created a distortion which adversely affected the operation and viability of the local manufacturer of tinplate;

WHEREAS, the local manufacturer has infused substantial amount of capital in its expansion and modernization program to meet competition under a liberalized trade regime;

WHEREAS, there is a need to rectify existing distortion in the tariff structure and allow the local manufacturer a reasonable time to position its product in the market on equal footing with imports;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION. 1. The following articles under Section 104 of the Tariff and Customs Code, as amended, shall have rates of import duty in accordance with the schedule indicated opposite each article as listed below:

HDG. NO.	HARMONIZED SYSTEM CODE	DESCRIPTION	Rate of Duty, (%)			
			1 January			
			1997	1998	1999	2000
(1)	(2)	(3)	(4)	(5)	(6)	(7)
72.10		Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated.				
		- Plated or coated with tin:				
	7210.11 00	-- Of a thickness of 0.5 mm or more	10	3	3	3
	7210.12 00	-- Of a thickness of less than 0.5 mm	10	3	3	3
	7210.20	- x x x				
	7210.20 10	--- x x x				
	7210.20 90	--- x x x				
	7210.30	- x x x				
	7210.30 10	--- x x x				
	7210.30 90	--- x x x				
		- x x x				
	7210.41	-- x x x				
	7210.41 10	--- x x x				
	7210.41 90	--- x x x				
	7210.49	-- x x x				

HDG. NO.	HARMONIZED SYSTEM CODE	DESCRIPTION	Rate of Duty, (%)			
			1 January			
			1997	1998	1999	2000
	7210.49 10	--- x x x				
	7210.49 90	--- x x x				
	7210.50 00	- Plated or coated with chromium oxides or with chromium and chromium oxides	10	3	3	3
		- x x x				
	7210.61	-- x x x				
	7210.61 10	-- x x x				
	7210.61 90	--- x x x				
	7210.69	-- x x x				
	7210.69 10	--- x x x				
	7210.69 90	--- x x x				
	7210.70	- x x x				
	7210.70 10	--- x x x				
	7210.70 90	--- x x x				
	7210.70 91	---- x x x				
	7210.70 92	---- x x x				
	7210.70 99	---- x x x				
	7210.90	- x x x				
	7210.90 10	--- x x x				
	7210.90 90	--- x x x				
72.12		Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, clad, plated or coated.				
	7212.10 00	- Plated or coated with tin	10	3	3	3
	7212.20	- x x x				
	7212.20 10	--- x x x				
	7212.20 90	--- x x x				
	7212.30	- x x x				
	7212.30 10	--- x x x				
	7212.30 90	--- x x x				
	7212.40	- x x x				
	7212.40 10	--- x x x				
	7212.40 90	--- x x x				
	7212.40 91	---- x x x				
	7212.40 99	---- x x x				
	7212.50	- x x x				
	7212.50 10	--- x x x				
	7212.50 20	--- x x x				
	7212.50 90	--- x x x				
	7212.60	- x x x				
	7212.60 10	--- x x x				
	7212.60 90	--- x x x				

SEC. 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and effect.

SEC. 3. Upon the effectivity of this Executive Order, the abovementioned articles which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SEC. 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 5. This Executive Order shall take effect upon complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 21st day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 428
CREATING THE MULTI-SECTORAL TASK FORCE ON MARITIME DEVELOPMENT,
DEFINING ITS POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

WHEREAS, in the true spirit of people empowerment and participatory democracy, the private sector, which is the real engine of progress and the major stakeholder of the maritime industry, should be made active participants in the charting of its development blueprint;

WHEREAS, in order to address the pressing demands of global maritime competition, there is a need for the country to proactively respond to various international maritime conventions as part of manifesting its commitment and fulfilling its obligations to the international shipping community;

WHEREAS, the National Development Summit held on 8-9 June 1997 envisioned, among others, the launching of the Philippines as a maritime power in East Asia in the 21st century, by harnessing the vast potential of the maritime industry in the service of national economic development, thus making it a catalyst for growth of the nation's industries, significantly generating employment, enhancing food security and alleviating poverty, especially among the coastal communities;

WHEREAS, there are problems presently besetting the Maritime Administration structure of the country, particularly, overlapping of functions among government agencies that perform maritime functions, programs and policies that are in cross purposes with each other which, oftentimes, hinder the growth and progress of the maritime industry and dissipate government resources;

WHEREAS, there is a need to firm-up the frame work and implement the immediate and short term measures, as well as formulate unified action plans identified in the economic summit workshop, in support of the vision to position the Philippines as a maritime power by the turn of the millennium;

WHEREAS, there is an urgent need to create a Multi-Sectoral Task Force to shepherd and fasttrack strategic measures to pole-vault the country's economy with respect to the vision of making the Philippines as a maritime power;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order that:

SECTION 1. Creation of a Multi-Sectoral Task Force on Maritime Development. There is hereby created a Multi-Sectoral Task Force on Maritime Development (MTFMD) under the Office of the President.

SECTION 2. Composition. The Task Force shall be composed of the following:

- | | |
|--|---------------|
| a) Secretary of Transportation and Communications | Chairman |
| b) Secretary of Socioeconomic Planning and Director-General, National Economic and Development Authority | Co-Chairman |
| c) Director-General, National Security Council | Vice-Chairman |
| d) Secretary of National Defense | Member |
| e) Secretary of Public Works and Highways | Member |

f) Secretary of Energy	Member
g) Secretary of Interior and Local Government	Member
h) General Manager, Philippine Ports Authority	Member
i) Administrator, Maritime Industry Authority	Member
j) Commandant, Philippine Coast Guard	Member
k) Executive Director, Maritime Training Council	Member
l) Chairman, Commission on Higher Education	Member
m) Head of the Presidential Legislative Liaison Office	Member
n) Chairman, Professional Regulations Commission	Member
o) Administrator, National Mapping and Resource Information Authority	Member
p) Representatives from the private sector representing the maritime academe, shipowners/employers, seafarers' unions, bareboat charterers, manning agencies, shipbuilders, shippers associations and maritime technical organizations/consultancies	Member

The members of the Task Force may designate their duly authorized representatives. Such designated representatives shall have full powers to vote and act for, and in behalf of their principals, in any action to be taken by the task Force unless their designation provides otherwise.

The Task Force, by a majority vote of all members, may replace past members and invite additional members whenever the circumstance so warrant. In addition, the decision of the Task Force to implement measures that is of paramount importance to the economic posture of the country specifically on issues of maritime concern, shall be made binding, after being voted upon by the majority of the members, and can only be rescinded by the President of the Philippines.

SECTION 3. Powers and Functions. The Task Force shall have the following powers and functions:

- a. Prepare a programme of action and identify priorities to be adopted and implemented by the government and the private sector to carry-out the agreements of the National Development Summit Workshop on the vision to launch the Philippines as a maritime power in East Asia in the 21st century through the following:
 - i. review and evaluate existing plans, policies and programmes relating to the development of the maritime sector in the light of the above vision;
 - ii. recommend amendments and/or revision of existing laws and policies for the enactment of additional laws, rules and regulations and policies when warranted;
 - iii. conduct researches, studies and inquiries on the issues and implications to the Philippine maritime sector of relevant domestic and international developments;
 - iv. identification of private sector initiatives and technological innovations that will enhance our competitive advantages in both the regional and global markets.
 - b. Monitor, shepherd and fasttrack the implementation of the programme of action, coordinating and consulting with the different concerned government agencies and private sector groups especially on urgent measures of major impact to the maritime sector i.e., inclusion of the Philippines in the International Maritime Organization (IMO) whitelist under STCW '95, ratification of important maritime conventions, (MARPOL 73/78, U.N. Convention on Ships Registration, FAL Convention of 1964), re-engineering of the Maritime
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Administration structure of the country thru the transfer of the PCG from the DND to the DOTC, amendment of PD 97 as proposed, revision of maritime incentives, and other similar important and urgent maritime issues of great economic significance;

- c. Enhance collaboration and build consensus among the various sectors that may be affected.
- d. Create technical working groups as may be necessary to accomplish its function.
- e. Adopt rules and guidelines to govern the internal affairs of the Task Force; and
- f. Perform such other powers and functions as may be necessary to achieve the objectives of this order.

SECTION 4. Meetings and Quorum. The Task Force shall meet at least once every month or as often as may be necessary upon the call of the Chairmen.

The Task Force shall immediately convene upon the promulgation of this Executive Order to prepare and approve the Implementing Rules and Regulations for its effective implementation.

The presence of a majority of the members shall constitute a quorum and the vote of a majority of said quorum shall be sufficient for the approval of any action of the Task Force.

SECTION 5. Secretariat. The National Economic and Development Authority and the Department of Transportation and Communications, in collaboration with the private sector, shall establish and head a permanent Secretariat to provide technical and administrative support in the implementation of the programmes as formulated by the Task Force.

SECTION 6. Funding. The initial appropriations of three (3) million pesos shall be drawn from the budget allocation of the Office of the President. Subsequent appropriations shall be incorporated in the annual budget of the Department of Transportation and Communications as approved by both Houses of Congress.

SECTION 7. Honoraria. The Chairman of the Task Force shall establish a system of honoraria or allowances for the meetings of the members in accordance with existing accounting and auditing regulations.

SECTION 8. Repealing. All other laws, orders, issuances, rules and regulations or parts thereof, inconsistent with this order are hereby repealed or modified accordingly.

SECTION 9. Effectivity Clause. This Order shall take effect immediately.

DONE, in the City of Manila, on this 17th day of July, in the year of our Lord, nineteen hundred and ninety-seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 429
AMENDING EXECUTIVE ORDER NO. 62, SERIES OF 1993, WHICH PRESCRIBED THE
POLICIES AND GUIDELINES TO IMPLEMENT REPUBLIC ACT NO. 7227

WHEREAS, Executive Order No. 62, series of 1993, was issued prescribing the policies and guidelines to implement Republic Act No. 7227, otherwise known as the Bases Conversion and Development Act of 1992;

WHEREAS, Section 4.9.2 of the said executive order fixes the lease period of baseland properties to 25 years subject to renewal for another 25 years;

WHEREAS, Section 4 of Republic Act No. 7652, otherwise known as Investors' Lease Act, allows foreign investors investing in the Philippines to lease private lands for the establishment of industrial estates, factories, assembly or processing plants, agro-industrial enterprises, land development for industrial, or commercial use, tourism, and other similar priority productive endeavors for a period not exceeding fifty (50) years, renewable once for not more than twenty-five (25) years;

WHEREAS, Section 1 (d) of the rules implementing RA 7652 defines private lands as those including patrimonial properties of the state owned, held, controlled, supervised or managed by government owned or controlled corporations such as but not limited to the Export Processing Zone Authority, the Phividec Industrial Authority and the Bases Conversion arms, such as Clark Development Corporation (CDC) and the Subic Bay Metropolitan Authority;

WHEREAS, there is a need to amend Section 4.9.2 of Executive Order 62 in order to grant Filipino investors the same privilege given to foreign locators investing in properties being held, managed or administered by the BCDA, SBMA, CDC and any of its subsidiaries;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, and upon the recommendation of the Chairmen of the BCDA and the CDC, do hereby order:

SECTION 1. Amendment of Lease Period. - Section 4.9.2 of EO 62, series 1993, is hereby amended to read as follows:

- 4.9.2. Lease agreements may be on short-term or long-term basis but not to exceed fifty (50) years, renewable once for not more than twenty-five (25) years, for local investors establishing industrial estates, factories, assembly or processing plants, agro-industrial enterprises, land development for industrial, or commercial use, tourism, and other similar priority productive endeavors;
The twenty-five years lease period, renewable once for another twenty-five (25) years, shall continue to operate for investments not included in the foregoing enumeration.

SEC. 2. Repealing Clause. - Any and all orders, rules and regulations or parts thereof inconsistent herewith are hereby amended, modified or repealed accordingly.

SEC. 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 430
FURTHER STREAMLINING THE BUREAU OF INTERNAL REVENUE IN LINE
WITH ITS COMPUTERIZED INTEGRATED TAX SYSTEM

WHEREAS, the BIR is undertaking a major transformation to fulfill its vision and mission and achieve its strategic goals;

WHEREAS, the BIR has to provide and prepare for the full implementation of the Computerized Integrated Tax System (CITS) within the years 1997 and 1998 and therefore has to institute simultaneously the changes in its processes, values, skills and structure;

WHEREAS, under Section 20, Chapter 7, Title I, Book III of Executive Order No. 292 (Administrative Code of 1987), the President of the Philippines is empowered to exercise such powers and functions vested in him, which are provided for under the laws;

WHEREAS, under Section 76 of the General Provisions of Republic Act No. 8250 (FY 1997 General Appropriations Act), the President may direct changes in the organization and key positions in any department, bureau or agency;

WHEREAS, under Section 78 of the General Provisions of RA 8250, heads of departments, bureaus and agencies are directed to scale down, phase out or abolish activities no longer essential in the delivery of public services;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Organizational Structure.* The organizational structure of the BIR shall define clearly the functions and responsibilities of the National Office and those of the Regional Offices and Revenue District Offices, and other units in the field, as follows:

1. The National Office shall develop and formulate broad national tax administration policies and programs for efficient and effective implementation of internal revenue laws and regulations, and establish general direction, guidance and control of the operations of the internal revenue service. For this purpose, the organizational changes indicated hereunder are adopted:
 - 1.1 The existing functional groups in the BIR are modified to effect the reorientation and realignment of the different services and other units under them.
 - 1.2 The ***Commissioner*** of Internal Revenue, hereinafter referred to as the Commissioner, shall be the Chief Executive Officer of the BIR and shall be appointed by the President upon the recommendation of the Secretary of Finance, hereinafter referred to as the Secretary. For consistent interaction with both the internal and external stakeholders, the following services are hereby created directly under the Office of the Commissioner:

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- 1.2.1 *Policy and Planning Service* which shall be responsible for the formulation of policies and guidelines on strategic and operational planning; establishment of performance evaluation measures; monitoring and evaluation of accomplishments and changes in policies, plans and programs; allocation of annual revenue goal; evaluation of the impact of new tax measures; monitoring of macro-economic performance; and such other related functions as may be assigned to it by the Commissioner.
- 1.2.2 *Internal Affairs Service* which shall be responsible for the spot-checking of cash and property accountabilities of all accountable officers; inspection of procured supplies and services in compliance with approved specifications and standards; conduct of audit of personnel performance and internal systems, as well as computer systems; formulation of the internal security program; and such other related functions as may be assigned to it by the Commissioner.
- 1.3 The *Operations Group*, which shall be headed by a Deputy Commissioner to be appointed by the President upon recommendation of the Commissioner, shall be composed of the following Services:
- 1.3.1 *Collection Service* which shall be responsible for the formulation of policies and programs on collection activities; administration of a nationwide collection program; determination of compliance and measurement of performance with set programs; monitoring of collection accountabilities; and such other related functions as may be assigned to it by the Commissioner.
- 1.3.2 *Assessment Service* which shall be responsible for the formulation of policies and programs relative to assessment activities; administration of a nationwide assessment program; determination of compliance and measurement of performance with set programs; and such other related functions as may be assigned to it by the Commissioner.
- 1.3.3 *Taxpayers Assistance Service* which shall be responsible for the provision of one-stop-shop services to taxpayers' information and education program; maintenance of customers' feedback mechanism; analysis and evaluation of ways to improve services to taxpayers; conduct of studies on new service requirements of taxpayers; and such other related functions as may be assigned to it by the Commissioner.
- 1.4 The *Legal and Enforcement Group*, which shall be headed by a Deputy Commissioner who shall be appointed by the President upon recommendation of the Commissioner, shall be composed of the following Services:
- 1.4.1 *Legal Service* which shall be responsible for the formulation of policies and guidelines on the processing of requests for tax exemptions and claims for informer's reward; preparation of rulings and opinions of first impression; preparation of tax legislations, regulations and other issuances; drafting and interpretation of tax treaties; and such other related functions as may be assigned to it by the Commissioner.
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- 1.4.2 *Enforcement Service* which shall be responsible for the investigation of tax fraud, industry audit and other policy cases; monitoring and evaluation of regulatory activities; institution of civil cases for the collection of taxes; filing of criminal cases on tax evaders; and such other related functions as may be assigned to it by the Commissioner.
- 1.5 The *Information Systems Group*, which shall be headed by a Deputy Commissioner to be appointed by the President upon recommendation of the Commissioner, shall be composed of the following Services and Data Centers:
- 1.5.1 *Information Systems Development Service* which shall be responsible for the development and acquisition of systems; maintenance and enhancement of existing information systems; conduct of researches and development programs on information technology; and such other related functions as may be assigned to it by the Commissioner.
- 1.5.2 *Information Systems Operations Service* which shall be responsible for the overall operation of all information systems linking the National Office with the Revenue Data Centers; maintenance of the data warehouse for various users, as well as external linkages required; systems management of all technical resources; and such other related functions as may be assigned to it by the Commissioner.
- 1.5.3 *Information Planning and Quality Service* which shall be responsible for planning of the information requirements to support the business plan of the Bureau; setting of policies and standards on information systems and resources; assuring the quality of systems development and operations; management of the security and access to all information systems, files and resources; and such other related functions as may be assigned to it by the Commissioner.
- 1.5.4 *Revenue Data Centers* (RDCs) which shall be responsible for handling the document processing requirements of the assigned Regional and District Offices; operation and management of the distributed information systems; ensuring the integrity of the accounts of taxpayers in the areas covered; and such other related functions as may be assigned to it by the Commissioner.
- 1.6 The *Resource Management Group*, which shall be headed by a Deputy Commissioner to be appointed by the President upon recommendation of the Commissioner, shall be composed of the following Services:
- 1.6.1 *Human Resource Development Service* which shall be responsible for personnel matters, career management, training, and personnel welfare; and such other related functions as may be assigned to it by the Commissioner.
- 1.6.2 *Financial Service* which shall be responsible for the preparation of the Bureau's annual budget; allocation of the budget appropriation in accordance with the program/project thrusts of the Bureau; maintenance of accounting records and books of accounts on expenditures and disbursements; submission of financial reports to management and other government agencies authorized to receive
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these reports; and such other related functions as may be assigned to it by the Commissioner.

- 1.6.3 *Administrative Service* which shall be responsible for the procurement and management of property and supplies; management of records and forms, and such other functions as may be assigned to it by the Commissioner.

2. The *Regional Offices* (ROs) shall execute and implement the national policies and programs prescribed by the National Office for the enforcement of the internal revenue laws of the Philippines. The ROs and the Revenue District Offices (RDOs) shall report to the Deputy Commissioner for Operations.

- 2.1 Each RO shall have the supervision and control over the RDOs within the Region and shall be responsible for directing and coordinating their operations.

- 2.2 The RDOs shall have supervision and control over other units within the District.

SEC. 2. *Redeployment of Personnel.* The redeployment of officials and other personnel on the basis of the streamlining embodied in this Executive Order shall not result in the diminution in rank and compensation of existing personnel and shall take into account pertinent Civil Service laws and rules.

On the basis of the organizational changes in this Executive Order, the Commissioner shall, upon concurrence of the Secretary of Finance, submit to the Department of Budget and Management for approval the resultant organizational structure and staffing pattern of the BIR.

SEC. 3. *Funding.* The financial resources needed to carry out the provisions of this Executive Order shall be taken from funds available in the BIR: Provided, That the total cost of the approved staffing pattern at full implementation shall not exceed available funds for Personal Services.

SEC. 4. *Implementing Authority.* With the approval of the Secretary, the Commissioner is hereby authorized to determine the number of ROs, RDCs and RDOs consistent with the requirements of the CITS and the principles of economy, efficiency and effectiveness. The Commissioner is likewise authorized to organize such units under the Services and Offices authorized under this Executive Order, subject to DBM evaluation.

The authority herein granted to streamline the BIR shall be exercised only once.

SEC. 5. *Implementing Rules and Regulations.* The Commissioner, with the approval of the Secretary, shall issue the rules and regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

SEC. 6. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 431
PROVIDING FOR THE CREATION OF THE NATIONAL
COORDINATING COUNCIL FOR THE SUGAR INDUSTRY

WHEREAS, the development of the sugar industry is vital to the overall national efforts to promote greater productivity of the agriculture sector and thereby, achieving higher growth of the national economy;

WHEREAS, it is the national policy to promote the growth and development of the sugar industry through greater and significant participation of the private sector, including the furtherance of conducive investment climate and the improvement of the working conditions of the sugar workers;

WHEREAS, there is a need for a coordinating mechanism for the government and private sector partnership in pursuing the national efforts on the development of the local sugar industry and its global competitiveness;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by the virtue of powers vested in me by law, do hereby order:

Section 1. *Creation of the National Coordinating Council for the Sugar Industry.* There is hereby created the National Coordinating Council for the local sugar industry, hereinafter referred to as the Council, to promote effective government and private sector coordination in the pursuing the national efforts to enhance the development and global competitiveness of the local sugar industry.

Section 2. *Composition.* The Council shall be composed of the following:

Secretary, Department of Agriculture	- Chairman
Director General, National Economic and Development Authority	- Co-Chairman
Private Sector selected by the Council from among its Private Sector Representative-Members	- Vice Chairman
Secretary, Department of Agrarian Reform	- Member
Secretary, Department of Trade and Industry	- Member
Secretary, Department of Public Works and Highways	- Member
Secretary, Department of Budget and Management	- Member
Secretary, Department of Finance	- Member
Secretary, Department of Labor and Employment	- Member
Administrator, Sugar Regulatory Administration	- Member

One representative each from the federations of sugar planters, millers, traders, industrial users and consumers, appointed by the President upon the recommendation of the Secretary of Agriculture, shall also be among the members of the Council.

Section 3. *Duties and Functions.* The Council shall discharge the following duties and functions:

a. Provide effective forum for resolving issues and concerns affecting the development of the local sugar industry;

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- b. Provide feedback mechanisms among and between government and private sector on the implementation of policies and programs pertaining to the industry;
 - c. Enhance government and private sector cooperation and complementation in pursuing industry plans and programs;
 - d. Submit recommendations in the government's review and formulation of policies and programs on the sugar industry; and
 - e. Perform other functions which may be deemed necessary by the President

Section 4. *Secretariat Support.* The Sugar Regulatory Administration shall provide technical and administrative support to the Council in the effective discharge of its functions. The Council, however, may create other Committees and/or tap the support of other concerned agencies, in the furtherance of its mandate provided under this Order.

Section 5. *Funding.* The budget for the initial operational year of the Council and the Secretariat shall be provided by the Department of Agriculture and Sugar Regulatory Administration, respectively, subject to the applicable accounting and auditing regulations.

The operational budget of the Council and the Secretariat for the succeeding years shall be drawn from the contribution of its members and agreed upon by the Council.

Section 6. *Reportorial Requirements.* The Council shall submit to the Office of the President an annual report on its activities.

Section 7. *Effectivity.* This Order shall take effect immediately.

DONE in the City of Manila, this 5th day of August, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 301 - 440*]. Manila: Presidential Management Staff.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 432

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 432 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 433
ESTABLISHING THE CRITERIA FOR PRESIDENTIAL CITATIONS TO PRIVATE
BUSINESS INDIVIDUALS AND ENTITIES, FOREIGN OR LOCAL, IN RECOGNITION
OF THEIR EXCEPTIONAL CONTRIBUTIONS TOWARD THE ATTAINMENT OF
PHILIPPINE ECONOMIC AND DEVELOPMENT GOALS

WHEREAS, the Constitution recognizes the indispensable role of the private business sector in nation-building;

WHEREAS, the efforts of the private sector towards global competitiveness and excellence in their chosen fields have contributed much to our country's progress;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby establish the criteria to be applied in the conferment of Presidential Citations, as follows:

SECTION 1 Criteria. – The basis for determining the awardees of the Presidential Citations shall be the breadth of the individual or entity's contribution to the said Philippine goals, broken down into three categories:

For Investors:

The awardee must satisfy all of the following conditions:

- has an equity investment of at least US \$100 M or is providing at least 5,000 jobs;
- has been in the Philippines for over 10 years;
- has a good track record in labor relations, environmental practice and community relations.

For Exporters:

- has annual exports of over US \$1.0 B of merchandise or US \$50 M of services.

Special Award:

A world-renowned corporation at the verge of making an investment decision that will guarantee the infusion of huge financial resources to our country and a long term employment to our people.

SEC. 2. Recipient. – The award shall be granted to private business individuals and entities, foreign or local, in recognition of their exceptional contributions towards the attainment of Philippine economic and development goals. The award shall be conferred directly upon the Chairman or Chief

Executive Officer of the Head Office of the corporation or enterprise to mark special corporate milestones.

SEC. 3. Form of Award. – The Award shall be in the form of a Presidential Citation containing the signature of the President.

SEC. 4. Implementing Guidelines. – The Department of Trade and Industry, as lead agency, shall consult with relevant departments and shall within thirty (30) days from issuance hereof, cause the promulgation of the guidelines to implement this Order.

SEC. 5. Effectivity. – This Order shall take effect immediately.

DONE in the City of Manila, this 7th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 434
AMENDING SECTIONS 2 AND 4 OF EXECUTIVE ORDER NO. 3
(DATED 7 JULY 1992), AS AMENDED

WHEREAS, pursuant to Executive Order No. 3, dated 7 July 1992, the Presidential Anti-Crime Commission (PACC) was created with the principal task of directing and coordinating the activities of various law enforcement agencies to effect a more vigorous campaign against criminality;

WHEREAS, Executive Order No. 221 dated 23 January 1995 was issued amending Executive Order No. 3, dated 7 July 1992, and clarifying the authority and extent of the powers and functions of the PACC;

WHEREAS, Administrative Order No. 219 dated 4 October 1995 was issued delineating the functions, powers and jurisdictions of the PACC, the National Peace and Order Council, the National Law Enforcement Coordinating Committee and their implementing agencies;

WHEREAS, there is an urgent need for the PACC to concentrate its anti-criminality campaign on certain offenses like violations of the Dangerous Drugs Act (R.A. 6425, as amended); plunder (R.A. 7080, as amended), and other heinous crimes defined in R.A. 7659; and

WHEREAS, in view of the resignation of the Vice-President as PACC Chairman, there is also now a need to reconstitute the composition of the PACC

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 2 of Executive Order No. 3, dated 7 July 1992, as amended, is hereby amended as follows:

“Sec. 2. Composition. - The Commission shall be composed of the Secretary of Justice as Chairman; the Secretary of Interior and Local Government as Vice-Chairman; the Chief Presidential Legal Counsel as Co-Vice-Chairman; and two representatives of non-government organizations (NGO) which are involved in crime prevention and designated by the President upon recommendation of the Chairman.”

SECTION 2. Section 4 of the same Executive Order is amended as follows

“Sec. 4. OFFENSES COVERED. - In the discharge of its functions, the Commission shall have the authority to take cognizance of the following crimes:

- a. Those committed by organized/syndicated crime groups, including but not limited to: gunrunning, illegal logging, robbery, kidnapping for ransom, white slave trade, illegal recruitment, carnapping, smuggling, piracy, drug-trafficking,

falsification of land titles and other government forms, large scale swindling, film piracy, counterfeiting and bank frauds.

An organized/syndicated crime group means a group of two or more persons collaborating, confederating or mutually helping one another in the commission of any crime.

b. Those which are considered as heinous crimes.

A heinous crime, for purposes of this Executive Order, is any of the offenses defined in R.A. 7659; a grave felony as defined in the Revised Penal Code; or an offense punishable under special law, committed in a manner that is revolting or shocking to the common sensibilities of man, whether deliberately sought or not, such as those attended by cruelty, ignominy, treachery, and similar circumstances.

c. Those committed by the members of the Philippine National Police and the Armed Forces of the Philippines.

d. Violations of the Dangerous Drugs Act of 1972, as amended.

e. Plunder as defined in R.A. 7080, as amended.

f. Such other offenses which the President may consider appropriate to place under its authority.”

SECTION 3. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of August, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 435

DEVOLVING TO THE AUTONOMOUS REGIONAL GOVERNMENT OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO CERTAIN POWERS AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, ITS SECTORAL OFFICES AND ATTACHED AGENCIES IN THE REGION, AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Sections 1 and 15, Article X of the Constitution, Republic Act No. 6734 entitled “An Act providing for an Organic Act for the Autonomous Region in Muslim Mindanao” was enacted;

WHEREAS, under Section 2, Article V of RA 6734, the Autonomous Region in Muslim Mindanao (ARMM) has jurisdiction over matters devolved to it by the Constitution and the Organic Act which include, among others, “the powers, functions and responsibilities now being exercised by the departments of the National Government”;

WHEREAS, pursuant to the aforesaid section of RA 6734, the powers, functions and responsibilities exercised in the region by the Department of Transportation and Communication (DOTC), its sectoral offices and attached agencies are now devolved to the ARMM except “maritime, land and air transportation and communication that affect areas outside the Autonomous Region”;

WHEREAS, Section 16, Article X of the Constitution provides that “all powers, functions and responsibilities not granted by this Constitution or by law to the autonomous regions shall be vested in the National Government”;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Declaration of Policy. In line with the policy of the State under the Constitution to ensure the autonomy of local governments, it is hereby declared the policy of the National Government that powers, functions and responsibilities of departments of the National Government, its sectoral offices and attached agencies devolved by virtue of the Constitution and RA 6734 be fully and expeditiously transferred to, and assumed and exercised by, the Autonomous Regional Government (ARG) of the ARMM.

Section 2. Transfer of Offices, Assets and Liabilities. All offices of the DOTC, its sectoral offices and attached agencies now existing in the ARMM, including their personnel, equipment, properties, budgets, assets and liabilities are hereby transferred to and placed under the control and supervision of the ARG subject to Article XIX of RA 6734.

Section 3. Control and Supervision of Transferred Offices of DOTC and its Attached Agencies. Offices of the DOTC, its sectoral offices and attached agencies in the ARMM transferred to and placed under the control and supervision of the ARG shall cease to be part of the DOTC or its attached agencies and shall no longer be under the control and supervision of the DOTC Secretary or the governing boards of the attached agencies, as the case may be. These transferred offices shall become either regional executive commissions, boards, bureaus or offices as the ARG may, in its

discretion and under its authority, structure them. Pursuant to Section 18, Article VIII of RA 6734, the Regional Governor of the ARMM, subject to the exceptions provided under the Organic Act, shall have control over regional executive commissions, boards, bureaus or offices, and shall ensure that the laws are faithfully executed.

Section 4. Devolution of the Powers and Functions of DOTC. The powers and functions of the DOTC under Executive Order No. 125 as amended and Executive Order No. 292 (Administrative Code of 1987), insofar as the exercise thereof is confined to the ARMM and does not affect areas outside the autonomous region, are hereby devolved to the ARMM subject to national transportation and communication policies and programs.

Section 5. Devolution of Specific Powers, Functions and Responsibilities of Sectoral Offices and Attached Agencies of DOTC. Insofar as the exercise thereof by the ARG is confined to the ARMM and does not affect areas outside the autonomous region, and subject to national transportation and communication policies and programs, the following specific powers, functions and responsibilities of the sectoral offices of the DOTC are hereby devolved to the ARG:

A. LAND TRANSPORTATION OFFICE (LTO)

1. To issue licenses to operate motor vehicles within the ARMM to persons who upon written and practical examinations have shown proficiency in the operation of motor vehicles, pursuant to the provisions of RA 4136 and relevant laws; provided that driver's licenses issued by the ARG may be honored outside the ARMM subject to recording and validation procedures of the Land Transportation Office;
2. To register motorcycles and motorized tricycles and to charge registration fees therefor in accordance with existing laws;
3. To enforce all transportation and traffic laws, rules and regulations within the ARMM, confiscate licenses, impound vehicles if warranted by law or regulation, and impose fines and penalties to violators, including suspension and revocation of licenses and registration, subject to observance of due process of law;
4. To issue rules and regulations consistent with existing transportation and other relevant laws to govern traffic and transportation in the ARMM.

B. LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB)

1. To prescribe and regulate routes, economically viable capacities, and zones or areas of operation of public land transportation services provided by motorized vehicles within the ARMM, consistent with the national public land transportation development policies and plans; provided that the ARG and the LTFRB/DOTC shall coordinate with regard to the establishment and regulation of inter-regional routes, zones or areas of operation that pass through, include or involve the territory of the ARMM;
2. To issue, amend, or revise Certificates of Public Convenience (CPC) or permits authorizing the operation of public land transportation services provided by motorized vehicles exclusively within the ARMM, prescribe the appropriate terms and conditions therefor, and for cause, suspend, cancel or revoke the same; provided that jurisdiction over public utility vehicles with inter-regional CPC's or permits, that ply routes within the ARMM shall remain exclusively with the LTFRB;

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3. To determine, prescribe, approve and periodically review and adjust reasonable fares, rates and other related charges, relative to the operation of public land transportation services provided by motorized vehicles exclusively within the ARMM;
 4. To issue preliminary or permanent injunction, whether prohibitory or mandatory, in all cases within its jurisdiction in which cases the pertinent provisions of the Rules of Court shall apply;
 5. To punish for contempt; both direct and indirect in accordance with the pertinent provisions of, and the penalties prescribed by, the Rules of Court;
 6. To issue subpoenas and subpoena duces tecum and summon witnesses to appear in any proceedings of the appropriate office in the ARG, to administer oaths and affirmations, and in appropriate cases, to order the search and seizure of all vehicles and documents, upon probable cause and as may be necessary for the proper disposition of the cause before it;
 7. To conduct investigations and hearings of complaints for violation of the public service laws on land transportation and of the rules and regulations, orders, decisions or rulings and to impose fines or penalties for such violations; provided that if the violations possess inter-regional CPC's or permits, the appropriate office of the ARG in charge of enforcement of public service laws on land transportation shall file and prosecute the appropriate cases with the LTFRB;
 8. To review *motu proprio* the decisions/actions of the Provincial Franchising and Regulatory Offices within the ARMM;
 9. To promulgate rules and regulations governing proceedings before the appropriate office in the ARG and the Provincial Franchising and Regulatory Office. However, except with respect to paragraphs 4, 5, 6 and 7 hereof, the rules of procedure and evidence prevailing in the courts of law should not be controlling but rather the spirit and intention of said rules. The appropriate office in the ARG and the Provincial Franchising and Regulatory Offices shall use every and all reasonable means to ascertain facts in each case speedily and objectively and without regard to technicalities of law and procedures, all in the interest of due process;
 10. To fix, impose and collect, and periodically review and adjust, reasonable fees and other related charges for services rendered within the ARMM;
 11. To formulate, promulgate, administer, implement and enforce rules and regulations on land transportation public utilities, standards of measurements or design, and rules and regulations requiring operators of any public land transportation service to equip, install and provide in their utilities and in their stations such devices, equipment, facilities and operating procedures and techniques as may promote safety, protection, comfort and convenience to persons and property in their charges as well as the safety of persons and property within their areas of operation; provided, that the same shall apply only within the ARMM and on public transport vehicles under its jurisdiction; and provided further, that the rules and regulations are consistent with existing laws and national policies, and the designs and standards are not below nationally prescribed levels;
 12. To coordinate and cooperate with other government agencies and entities concerned with any aspect involving public land transportation services with the end view of effecting continuing improvement of such services; and
 13. To perform such other functions and duties as may be provided by law, or as may be necessary, or proper or incidental to the purposes and objectives of the ARG.
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C. AIR TRANSPORTATION OFFICE (ATO)

1. To manage, supervise and control government airports within the ARMM, except the airside at such airports, where aircraft are controlled and navigational aids and facilities are located, which shall remain under the control and supervision of the National Government, through the DOTC/ATO;
2. Upon close consultation with the ATO, promulgate rules and regulations to promote safety and security in civil aviation in the ARMM, which shall be consistent with law and international regulations and standards;
3. To fix and impose reasonable charges and fees on the use of its airports and related facilities under its control and supervision;
4. To recommend to the ATO the designation and establishment of airways within its jurisdiction and to participate in studies pertaining to the development of civil aviation;
5. To extend technical assistance to private airport operations entities within its territorial jurisdiction;
6. To maintain and operate aircraft necessary to carry out the objectives and activities of the ARG;
7. To design, install, manage, operate, maintain and repair the airports in the ARMM in accordance with national standards set by the ATO;
8. To enforce the rules and regulations issued pursuant to R.A. 776 and other air transportation laws within its jurisdiction and in coordination with the ATO, conduct investigation, and upon observance of due process, impose penalties for the violations thereof; provided that, on appeal, the President shall cause the ATO to review the findings and conclusions of the ARG and to make recommendations relative thereto; and
9. To perform such other functions related to civil aviation as may be provided by law.

D. MARITIME INDUSTRY AUTHORITY (MARINA)

1. To issue Certificate of Public Convenience (CPC), Provisional Authority (PA) and Special Permit (SP) for both contested and uncontested applications, provided that the vessels are homeported and are operating exclusively within the ARMM territorial boundaries; and provided further, that the issuance of CPC/PA/SP of vessels homeported in the ARMM operating inter-regionally shall be forwarded to this Authority;
 2. To issue SP's for the temporary utilization of domestic vessels in the Brunei-Darussalam, Indonesia, Malaysia and Philippines-East ASEAN Growth Area (BIMP-EAGA) routes;
 3. To accredit banca operators whose principal office is located within the ARMM jurisdiction;
 4. To register vessels of all tonnages homeported within its territorial boundary and to issue the corresponding document appurtenant thereto;
 5. To conduct safety inspection of vessels homeported and operating with the ARMM jurisdiction so as to determine the Safety of Life at Sea (SOLAS) compliance and manning requirements;
 6. To issue Coastwise License/Bay and River License/Pleasure Yacht License on all domestic vessels homeported within the ARMM regional boundaries;
 7. To issue Motorboat Operator's License for operators of vessels weighing three (3) Gross Registered Tonnages (GRT) and below which are homeported and are operating exclusively within the ARMM jurisdiction;
 8. To issue licenses to shipyards within the ARMM subject to existing guidelines;
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9. To issue Domestic Seafarer's Identification and Record Book (SIRB) subject to existing MARINA rules and regulations; and
10. To collect fees not exceeding those charged under existing MARINA circulars and issue receipts therefor in the exercise of the devolved functions.

E. PHILIPPINE PORTS AUTHORITY (PPA)

1. To formulate, in coordination with the Regional Development Office, a comprehensive and practicable port development plan for the autonomous region and to program its implementation, and review and update the same regularly in coordination with other regional agencies;
2. To supervise, control, regulate, construct, maintain, operate and provide such facilities or services as are necessary in all ports within the ARMM;
3. To prescribe rules and regulations, procedures, and guidelines governing the establishment, construction, maintenance, and operation of additional ports, including private ports in the ARMM;
4. To license, control, regulate, supervise any construction or structure within any port in the ARMM;
5. To provide services (whether on its own, by contract or otherwise) within the region and the approaches thereof including but not limited to:
 - 5.1 berthing, towing, mooring, moving, slipping or docking any vessel;
 - 5.2 sorting, weighing, measuring, or otherwise, handling goods.
 - 5.3 loading or discharging any vessel; and
6. To exercise control or administer any foreshore rights or leases within its jurisdiction;
7. To coordinate with the Regional Bureau of Lands or any other regional government agency of corporation, in the development of any foreshore area;
8. To control, regulate, and supervise pilotage and the conduct of pilots in any port in the ARMM;
9. To provide or assist in the provision of training programs and training facilities for its staff, or staff of port operators and users for the efficient discharge of its functions, duties, and responsibilities;
10. To exercise the corporate powers and the police authority now vested in the Regional Ports Authority; provided that the exercise of police authority shall not extend to areas outside the autonomous region;
11. To perform such acts or provide such services as may be deemed proper and necessary to carry out and implement the provisions of this Executive Order.

F. NATIONAL TELECOMMUNICATIONS COMMISSION (NTC)

1. To issue Certificates of Public Convenience for the operation of communication utilities and services, radio communication systems, wire or wireless telephone or telegraph systems, radio and television broadcasting system and other similar public utilities within the ARMM;

2. To establish, prescribe and regulate areas of operation of particular operators of public service communications within the ARMM; and determine and prescribe charges or rates pertinent to the operation of such public utility facilities and services except in cases where charges or rates are established by international bodies or associations of which the Philippines is a participating member or by bodies recognized by the Philippine Government as the proper arbiter of such charges or rates;
3. To grant permit for the use of radio frequencies for wireless telephone and telegraph systems and radio communication systems including amateur radio stations and radio and television broadcasting systems within the region;
4. To establish and prescribe rules, regulations, standards and specifications in all cases related to the issued Certificates of Public Convenience and administer and enforce the same within its territorial jurisdiction;
5. To coordinate and cooperate with government agencies and other entities concerned with any aspect involving communications service in the ARMM;
6. To promulgate such rules and regulations applicable within its jurisdiction, as public safety and interest may require, to encourage a larger and more effective use of communications, radio and television broadcasting facilities and to maintain effective competition among private entities in these activities whenever the appropriate office in the ARG finds it reasonably feasible;
7. To supervise and inspect the operation of radio stations and telecommunications facilities in the region;
8. To undertake the examination and licensing of radio operators in the region;
9. To undertake, whenever necessary, the registration of radio transmitters and transceivers operated and used within its territorial jurisdiction;
10. To perform such other functions as may be prescribed by law.

G. CIVIL AERONAUTICS BOARD

1. To monitor and enforce, in coordination with the CAB, compliance with laws, rules and regulations governing those engaged in air transportation and air commerce in the ARMM;
2. To regulate the activities of air carriers, airfreight forwarders, general sales agents and cargo sales agents operating within the ARMM consistent with existing laws.

Section 6. Transition Period. During such period, not to exceed one (1) year from the effectivity hereof, that the ARG is structuring, organizing, staffing, equipping, and otherwise preparing the appropriate ARG offices for the full discharge of their powers, functions and responsibilities as devolved, the DOTC, its sectoral offices and attached agencies are hereby directed to extend their assistance and support to ensure that the services needed by the public are not disrupted.

Section 7. Standard Setting. The ARG, in the exercise of the powers devolved in this Executive Order, may formulate its own standards; provided, that in the formulation of regional standards, it shall adhere to the national standards and pertinent national laws as a minimum requirement.

Section 8. Programs and Projects. Locally-funded projects of DOTC, its sectoral offices and attached agencies within the ARMM including the corresponding project staff, budgets and assets thereof, are hereby transferred to the ARG. Control and supervision of foreign funded or assisted projects covered by existing contracts, that are to be implemented within the ARMM, shall be the subject of a Memorandum of Agreement between the ARG and the DOTC or the agency concerned, as the case may be.

Section 9. Assets, Equipment, Offices and Land. All existing assets and equipment being utilized or programmed for use in the four (4) provinces of the ARMM are hereby turned over to the ARG. The offices and land where the edifices are built or equipment is located or installed within the ARMM are likewise hereby transferred to the ARG.

Section 10. Personnel Matters. Plantilla positions, whether filled or unfilled, of the regional field offices of the DOTC and its sectoral offices and attached agencies in the four (4) ARMM provinces, are hereby placed under the supervision and control of the ARG. Personal services budgets are henceforth also transferred.

All offices and employees in the career executive/career service in the offices to be absorbed by the ARG shall be considered regular and permanent officials and employees of the ARG and shall retain their seniority rights, compensation, and other benefits. They shall enjoy security of tenure and shall not be removed except for valid cause, after due notice and hearing in accordance with Civil Service laws, rules and regulations.

Personnel who refuse to be absorbed by the ARG shall have the following options

- a) Regular retirement;
- b) Transfer to an office of the DOTC, its sectoral office or its attached agencies in another region if position is available and management so approves the same; and
- c) Transfer to another office based on the availability of positions

Nothing herein shall be interpreted or construed as depriving any affected personnel of any rights and benefits under the Civil Service and other laws.

Section 11. Proportionate Allocation of Personnel, Budgets and Other Resources. DOTC offices or its attached agencies which do not have offices within the ARMM but have regional offices in Region 9 and 12, which serve the four (4) ARMM provinces, shall immediately transfer to the ARG a proportionate share of their positions/personnel, equipment, budgets, assets and other resources.

Section 12. Special Assistance. The DOTC, its sectoral offices or attached agencies has no or few resources to transfer to the autonomous region, special assistance in the form of additional budgetary support or technical assistance in kind shall be extended to the ARG.

Section 13. Technical Assistance. The DOTC, its sectoral offices and attached agencies shall extend technical assistance and other related services to the ARG in improving the administrative, fiscal and technical skills of its personnel.

Section 14. Submission of Quarterly Report. A quarterly report on the status of the implementation of this Executive Order shall be submitted to the President by the ARG.

Section 15. Implementing Rules. The DOTC in consultation with the ARG, shall issue the implementing rules and regulations of this Executive Order within sixty (60) days from its effectivity.

Section 16. Separability Clause. If any provision of this Executive Order is declared unconstitutional or contrary to law, the validity and effectivity of the other provisions hereof shall not be affected.

Section 17. Effectivity. This Executive Order shall take effect fifteen (15) days after its publication in a national newspaper of general circulation and one (1) newspaper of general circulation in the ARMM.

Done in the City of Manila, this **28th August**, in the year of our Lord Nineteen Hundred and Ninety Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 436
PRESCRIBING POLICY GUIDELINES TO GOVERN THE OPERATIONS
OF CABLE TELEVISION IN THE PHILIPPINES

WHEREAS, the State recognizes the vital role of communication and information in nation-building;

WHEREAS, the Filipino people must be given wider access to more sources of news, information, education, sports events and entertainment programs other than those provided for by mass media and afforded television programs to attain a well informed, well-versed and culturally refined citizenry and enhance their socio-economic growth;

WHEREAS, cable television (CATV) systems could support or supplement the services provided by television broadcast facilities, local and overseas, as the national information highway to the countryside;

WHEREAS, because a large part of the country is still not covered by cable television services, there is an urgent need to maximize the development of the cable television industry and to provide incentives and afford protection to investments therein;

WHEREAS, professionalism and self-regulation among existing operators, through a nationally recognized cable television operators' association, have enhanced the growth of the cable television industry and must therefore be maintained along with minimal reasonable government regulations;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby adopt the following guidelines for the cable television (CATV) industry:

SECTION 1. The operation of cable television systems, as a subscriber service undertaking with a unique technology, shall be maintained separate and distinct from telecommunications or broadcast television.

SEC. 2. The regulation and supervision of the cable television industry in the Philippines shall remain vested solely with the National Telecommunications Commission (NTC).

SEC. 3. Only persons, associations, partnerships, corporations or cooperatives granted a Provisional Authority or Certificate of Authority by the Commission may install, operate and maintain a cable television system or render cable television service within a service area.

Cable television service may carry advertisements and other similar paid segments for which the cable television operator may charge and collect reasonable fees: Provided, that no cable television operator shall infringe on broadcast television markets by inserting advertisements in the programs it carries or re-transmits without the consent of the program provider concerned.

SEC. 4. Local exchange operators and/or broadcasters, as well as operators of direct broadcast satellite service, multi-point distribution service, television receive-only satellite program distribution service and other systems of providers of video programming utilizing whatever technology, shall not operate cable television systems or any form of service involving the delivery television programs

and signals, by wire or cable or through the airwaves and other wireless video signal transmission systems without specific permits, licenses and/or authority to operate a cable television system as provided hereunder and under applicable laws and rules and regulations, which permits, licenses and/or authority shall be issued in accordance with the provisions of this Executive Order.

SEC. 5. The Commission may grant an applicant an authority to operate a cable television system within the same franchise area covered by any Provisional Authority or Certificate of Authority issued by the Commission two (2) years earlier only upon the determination by the Commission that -

- a) the prior cable television operator has not, without sufficient justification, substantially complied with the terms and condition of his authorization;
- b) the cable television service currently provided by the operator to its subscriber is grossly inadequate; and
- c) the grant of the authority to the applicant will not result in ruinous competition detrimental to the existing operator and incompatible with the investment policies under this Executive Order.

SEC. 6. A cable television operator may, with prior approval from the Commission, lease or sub-lease any excess capacity of its cable television system to a third party.

SEC. 7. Receipt and distribution encoded satellite program signals shall be limited to the written authority granted by the satellite programmer.

SEC. 8. The Commission is hereby directed to ensure the proper implementation of this Executive Order, adopt rules and regulations for the purpose and, after due notice and hearing, impose the appropriate penalties in case of violation of any of the provisions hereof and the applicable rules and regulations, including administrative fines, penalties and sanctions as may be allowed or prescribed by existing laws;

SEC. 9. All executive orders, administrative orders and other issuances inconsistent herewith are hereby repealed, modified or amended accordingly.

SEC. 10. This Executive Order shall take effect immediately upon approval hereof.

DONE in the City of Manila, this 9th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 437

FURTHER AMENDING SECTION 1, (par. f), OF EXECUTIVE ORDER NO. 384, SERIES OF 1996, AS AMENDED, BY INCLUDING THE REGIONAL DIRECTORS OF DOT AS MEMBERS OF THE REGIONAL DEVELOPMENT COUNCILS

WHEREAS, Article X, Section 14, of the Constitution provides that the President shall create regional development councils (RDCs) and other similar bodies composed of local officials, regional heads of departments and other government offices and representatives from non-governmental organizations within the regions;

WHEREAS, Executive Order (EO) No. 325, series of 1996, provides for the organization structure of the RDCs which includes the Department of Tourism;

WHEREAS, Executive Order No. 384, further amending EO 325 which institutionalizes labor sector representation in the RDCs failed to include DOT as a regular member of the RDC;

WHEREAS, the inclusion of DOT as a regular member of the RDC was deemed crucial considering the need to harness the role of DOT in regional development and physical planning;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by the powers vested in me by law, hereby amend Executive Order No. 384, series of 1996, particularly Section 1, (par. f), thereof, to read as follows:

Section 1. (par. f) “the regional directors of agencies represented in the National Economic and Development Board (NEDA, DAR, DA, DBM, DENR, DOF, DFA, DOH, DILG, DOLE, DPWH, DOST, DTI, DOTC, BSP) and the regional directors of DECS, DSWD and DOT”.

Section 2. *Repealing Clause*. All previous issuances inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

Section 3. *Effectivity*. This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of **September**, in the year of our Lord Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 438
EXTENDING THE EFFECTIVITY OF ANY CHARTER OR LEASE
CONTRACT PURSUANT TO PRESIDENTIAL DECREE NO. 760, AS AMENDED

WHEREAS, Presidential Decree No. 760, as amended, allows the temporary registration under Philippine flag of foreign-owned ships to meet the ever-increasing demand for ships to move water-borne cargoes and passengers;

WHEREAS, chartering/leasing of ships pursuant to PD 760, as amended, has provided significant contribution to the socio-economic development of the country in terms of employment generation, foreign exchange earnings and shipping technology, among others;

WHEREAS, existing financing schemes for the capital-intensive shipping industry remain inadequate to encourage Filipino operators to acquire ships, thus necessitating the continuation of the charter/leasing of ships pursuant to PD 760;

WHEREAS, PD No. 760, as amended, provides that the effectivity of any charter or lease contract entered into pursuant to the Decree shall not extend beyond the year 1999 unless otherwise extended by the President of the Republic of the Philippines.

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. **Effectivity of any charter or lease contract pursuant to PD 760, as amended.** The effectivity of any charter or lease contract entered into under the said Decree is hereby extended, provided, however, it shall not go beyond the year 2009, unless otherwise further extended by the President of the Republic of the Philippines.

DONE, in the City of Manila, this 15th day of September, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 439
MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON CERTAIN
IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF
1978 (PRESIDENTIAL DECREE 1464), AS AMENDED,

WHEREAS, Section 104, and 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall have the Most-Favored-Nation (MFN) rates of import duty in accordance with the schedule indicated opposite each article as specified in columns 4-7 of said Annex.

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty therein prescribed.

SECTION 4. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect fifteen (15) days following its complete publication in two (2) newspapers of general circulation in the Philippines

DONE in the City of Manila, this 15th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Annex A

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 440

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES
AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978,
AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 50% MARGIN OF
PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE BRAND-TO-BRAND
COMPLEMENTATION SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER
THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on ASEAN Industrial Complementation (BAAIC) signed in Manila on 16 June 1981;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding (MOU) on the Brand-to-Brand Complementation (BBC) Scheme for the Automotive Industry under the BAAIC signed by the ASEAN Economic Ministers in Pattaya, Thailand on 18 October 1988;

WHEREAS, the Philippines is a participating country in the approved BBC Schemes of Mitsubishi Motors Corporation along with Indonesia, Malaysia and Thailand;

WHEREAS, under the Mitsubishi BBC Schemes approved on an ad referendum basis by Indonesia on 12 August 1996, by Malaysia and Thailand on 16 September 1996 and by the Philippines on 4 October 1996, the Philippines will import from Indonesia, Malaysia and Thailand certain component parts for the original equipment manufacture (OEM) of completely knocked-down (CKD) of Lancer (Models LA/LM/C/E/MG) passenger cars, L200 (PB/P-CAR) and Colt L300 light commercial vehicles, in exchange for Philippine exports of complementary component parts to the three participating countries;

WHEREAS, under the MOU on the BBC Scheme in the Automotive Industry, the Philippines shall grant a minimum 50% Margin of Preference (MOP) to BBC products approved by the SEOM subject to the terms and conditions set out in Section 9(b) of said MOU;

WHEREAS, under Section 9(b)(i) of the said MOU, the 50% MOP for existing BBC products shall be granted within 90 days of approval of the BBC products by the SEOM, and for new BBC products, the grant shall be extended from the actual date of commercial production of the products, or upon expiry of 30 months from the date of approval of the products whichever comes earlier;

WHEREAS, the various component parts specified in Certificates of Eligibility (COEs) Nos. MMC/3/A/96, MMC/5/A/96, MMC/7/A/96, MMC/11/A/96 and MMC/16/A/96 issued on 23 December 1996 in favor of Mitsubishi Motors Corporation are existing products, i.e., already being manufactured at the time of their approval as BBC products;

WHEREAS, under paragraph b(ii) of Section 9 of the MOU, non-participating countries shall initially waive their rights under Chapter II, Article 8, paragraph 2, of the ASEAN Preferential Trading Arrangements (PTA) for the first four years from date of granting of MOP and shall thereafter enjoy the MOP granted by participating countries as soon as they extend the same MOP;

WHEREAS, under paragraphs b(ii) and b(iv) of Section 9 of the MOU, the waiver period shall be extended beyond the first four years for as long as the non-participating countries do not wish to

grant the MOP up to a maximum waiver period of eight years. After the maximum eight-year waiver period, any entity in any member country, whether the member country is participating in the specific BBC Scheme or not, which produces the BBC product shall enjoy the same MOP in the participating countries for the BBC product;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 10 thereof. In effect, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated opposite each article as specified in Columns 11, 12, 13, and 14 of Annex “A”.

SEC.2. The MOP provided on the articles specifically listed in Annex “A” shall be accorded exclusively to the BBC entity in Indonesia (P.T. Krama Yudha Tiga Berlian Motors KTB), to the BBC entity in Malaysia (Perusahaan Otomobil Nasional Sdn Bnd (PROTON) and to the BBC entity in Thailand (MMC Sittipol Co., Ltd. (MSC) effective from 1 January 1997 up to December 31, 2000. Thereafter, the same MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Indonesia, Malaysia and Thailand shall then be extended up to December 31, 2004.

SEC. 3. The 50% MOP accorded under this Executive Order shall remain effective regardless of any subsequent changes in the basic Philippine rate of duty on the afore-mentioned articles.

SEC. 4. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable BBC Preferential Tariff specified under Section 1 hereof, subject to qualification under the Rules of Origin as prescribed in the Agreement on ASEAN Preferential Trading Arrangements, as amended.

SEC. 5. Any revision/s to the part numbers appearing in Column 4 of Annex “A” shall be communicated immediately to the Bureau of Customs by the Department of Trade and Industry within five (5) days after receipt of the official copy of the revised part numbers from the ASEAN Secretariat.

SEC. 6. This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Articles granted 50% Margin of Preference (MOP) under the approved Mitsubishi Motors BBC Scheme

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 301 - 440]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 441
CONFIRMING THE ROLE OF THE DEPARTMENT OF TRANSPORTATION AND
COMMUNICATIONS AS THE PRIMARY PLANNING, IMPLEMENTING AND
COORDINATING AGENCY FOR ALL RAILWAY, PORT AND AIRPORT PROJECTS

WHEREAS, many transportation projects are currently in various stages of implementation with different proponents pursuing different modes of execution;

WHEREAS, several agencies of government, such as the Bases Conversion Development Authority, Subic Bay Metropolitan Authority and the Public Estate Authority, are authorized by their charters or enabling laws to pursue transportation development projects on their own;

WHEREAS, there is a need to coordinate the planning and implementation of major transportation projects to ensure that they are consistent with the overall development objectives and priorities and that they promote the efficient use of scarce resources;

WHEREAS, the Department of Transportation and Communications (DOTC) is the primary planning, programming, coordinating and implementing agency of the government for transportation development;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Pursuant to the provisions of Executive Order No. 125 and 125-A, the Department of Transportation and Communications is hereby affirmed to be the primary coordinating, development and implementing agency for transportation projects including ports, airports and railways. This affirmation is without prejudice to the role of the Metro Manila Development Authority as the planning, monitoring and coordinating authority involving the delivery of metro-wide services within Metro Manila and the autonomy of Local Government Units concerning purely local matters.

SEC. 2. The DOTC shall maintain a master plan for each mode of transportation that shall serve as the framework for the development plans of related agencies. Concerned agencies shall submit any specific major transportation project proposal to the DOTC to ensure that it is consistent with the approved master plans. Major projects shall be defined as projects for the construction or installation of new facilities for funding under foreign Official Development Assistance for implementation as BOT-type projects, or locally-funded projects with costs of more than P300 million.

SEC. 3. The DOTC shall promulgate guidelines to implement this Order for dissemination to all concerned agencies within one (1) month from its issuance.

SEC. 4. All issuances inconsistent with or contrary to the provisions of this Order are hereby repealed or modified accordingly,

DONE in the City of Manila, this 22nd day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 442
CREATING THE AGNO RIVER BASIN DEVELOPMENT COMMISSION TO OVERSEE AND
COORDINATE ALL DEVELOPMENTAL ACTIVITIES ALONG THE AGNO RIVER BASIN

WHEREAS, the Agno River is the lifeblood of a great part of Northern Luzon providing a major portion of all water usage in Region I and the Cordillera Administrative Region;

WHEREAS, the Agno River basin is the 5th largest river basin in the country whose upland watersheds and vast alluvial plain are surrounded by mountain ranges belonging to the Cordillera Mountains, the Zambales and Mariveles mountains;

WHEREAS, the river basin, which covers principally the provinces of Pangasinan and Benguet, is the area's food and fiber basket, and is considered one of the richest ecosystems in the country;

WHEREAS, the river today faces imminent threat of destruction caused by, among others, soil-erosion, river siltation, and sedimentation, thus putting in direct danger the basin's resources;

WHEREAS, the preliminary quantified evidence of accelerated sediment yield following the 1990 Luzon earthquake provides justification for placing high-priority to mitigation projects and programs;

WHEREAS, the recent Agno River Siltation Study indicates the need to create a body that will coordinate all phases of planning, design, construction, and implementation of various siltation mitigation projects as well as other development undertakings of various government agencies, including local government units, non-government organizations and the private sector;

WHEREAS, the most appropriate geographical entity for the wholistic approach in water resources planning and management is an inter-agency Commission for the development of the Agno River basin;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. There is hereby created under the Office of the President an inter-agency Agno River Basin Development Commission which shall be composed of the following:

- | | | |
|---------------|---|---|
| Chairman | : | Secretary, Department of Environment and Natural Resources |
| Co-Chairman | : | Secretary, Department of Energy |
| Vice-Chairmen | : | Governors, Provinces of Pangasinan and Benguet |
| Members | : | |
| | | 1. Secretary, Department of Public Works and Highways |
| | | 2. Secretary, Department of Trade and Industry |
| | | 3. Secretary, Department of Tourism |
| | | 4. Secretary, Department of the Interior and Local Government |
| | | 5. Secretary, Department of Agriculture |

6. Secretary, Department of Agrarian Reform
7. Director-General, National Economic and Development Authority
8. Presidential Assistant, Office of the President
9. President, National Power Corporation
10. Administrator, National Irrigation Administration
11. Director, Philippine Atmospheric Geophysical and Astronomical Services Administration
12. Executive Director, Office for Northern Cultural Communities
13. Executive Director, National Water Resources Board
14. Administrator, Office of Civil Defense, DND
15. Regional Directors, Philippine National Police Region I and CAR
16. Two representatives each from the provinces of Pangasinan and Benguet, from the non-government/people's organizations

The members may designate their permanent representatives to the Commission.

The Commission shall have an Executive Director with the rank of Undersecretary, who shall manage its day-to-day operations. He shall be appointed by the President and shall serve in a full-time capacity.

SECTION 2. The Commission shall have the following functions:

2.1 Develop a comprehensive master plan for the integrated economic, social and physical development of the basin, including the preservation and enhancement of indigenous culture and communities, to maximize equitable benefits to be derived from the basin's natural resources, as well as ensure a fair sharing of the national patrimony between upland and lowland peoples. The Commission shall adopt process of maximum consultation with, among others, the local government units, people's and non-government organizations, and other stakeholders in the area. The master plan shall be considered for integration into the Regional Development Plans of both RDC I and CAR;

2.2 In coordination with existing line agencies, implement development projects that have an overall impact upon the geographical coverage of the Commission;

2.3 Coordinate and monitor all planning, studies, design and implementation of various programs and projects for the development of the Agno River Basin;

2.4 Initiate, receive and recommend project proposals for the development, preservation and management of the basin's natural resources;

2.5 Formulate, review, evaluate and propose improvements in existing policies governing the protection, preservation, management and development of the basin through legislation or other appropriate executive issuances;

2.6 Commission studies, research and other development undertakings to determine appropriate measures necessary to carry out the development of the basin;

2.7 Coordinate soil-erosion control, river siltation mitigation, flood control, both structural and non-structural measures, as well as other aspects of infrastructure and land development projects among concerned government agencies adopting the most effective devolution and sharing of functions and technical expertise;

2.8 Establish a functional basin information and database system, including computer-generated planning tools such as GIS for use by planners, managers, technical personnel and the general public;

2.9 Organize its own administrative and technical support secretariat, as well as such other committees, task forces and technical working groups it deems necessary to carry out its mandate;

2.10 Receive grants, technical assistance and other forms of development support from foreign and local donor agencies;

2.11 Call upon any government agency, office, or bureau for assistance in the discharge of its functions and responsibilities; and

2.12 Undertake such other duties and functions as may be necessary to perform its mandate.

SECTION 3. Nothing in this Order shall be construed as effecting the abolition or diminution of powers of existing government entities, including those that have been created by previous Presidential issuances. The relationship between the Commission and such other entities shall be one of complementarity and coordination.

SECTION 4. The Commission shall submit a semi-annual report to the Office of the President.

SECTION 5. The funding of activities necessary to carry out the mandate of this Order in the initial amount of P10,000,000.00 shall come from the Contingent Fund or from any available fund under the Office of the President. Succeeding appropriations shall be included in the regular budget proposals of the Office of the President.

SECTION 6. Any provision of previous related issuances contrary to this Order are hereby superseded.

SECTION 7. This Order shall take effect immediately.

Done in the City of Manila, this 23rd day of September, in the year of our Lord, nineteen hundred and ninety seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 443
PROVIDING FOR THE ADOPTION OF THE COMPREHENSIVE AND INTEGRATED
DELIVERY OF SOCIAL SERVICES AS THE NATIONAL DELIVERY MECHANISM
FOR THE MINIMUM BASIC NEEDS (MBN) APPROACH

WHEREAS, the Comprehensive and Integrated Delivery of Social Services (CIDSS) is one of the nine flagship programs under the Social Reform Agenda, specifically aimed at empowering the disadvantaged communities to access services that will address their minimum basic needs;

WHEREAS, Administrative Order No. 194, Series of 1995 (otherwise known as the SRA Convergence Policy), clearly indicates the roles and responsibilities of all SRA major stakeholders, either as primary responsible entity or as support agency, in the delivery of services that respond to Minimum Basic Needs (MBN) indicators;

WHEREAS, the CIDSS has been implemented in 825 barangays of 275 municipalities and covering 49 provinces which resulted in the reduction of the unmet minimum basic needs by an average of fifty-seven percent (57%) within a span of two years. Likewise, it afforded the following major lessons on poverty alleviation program, validating the effectiveness and viability of the CIDSS approach:

- a. Poverty alleviation program requires a thorough social preparation of the community to ensure accelerated, effective and sustained access to basic services, some of which can be eventually managed or provided by the community;
- b. CIDSS, as a nationally-coordinated flagship program, complements local anti-poverty initiatives especially in 5th and 6th class municipalities that are usually low in resources, absorptive capacity and technical capabilities, requiring a transition mechanism prior to assuming full responsibility for anti-poverty programs;
- c. The MBN Approach is a valuable tool for focused targeting, convergence of services and evaluation of the attainment of a better quality of life for poor households and communities;
- d. Operationalizing convergence at the community level necessitates a focal agency for the installation of the MBN Approach with a network mechanism at all levels to coordinate poverty mapping; social preparation of the community; agency participation/matching of needs and programs/services for focused-targeting; and the conduct of continuing community mobilization for self-management of poverty alleviation program; and
- e. Full implementation of the MBN Approach requires a balance of entrepreneurship and social responsibility.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of the Comprehensive and Integrated Delivery of Social Services (CIDSS) as the national delivery mechanism for the Minimum Basic Needs (MBN) Approach.

SECTION 1. Department of Social Welfare and Development as Lead Agency. - The Department of Social Welfare and Development being the CIDSS Flagship Champion under the SRA, is directed to undertake appropriate steps to implement and/or further strengthen the CIDSS in all 5th and 6th class municipalities, as well as urban poor communities, as first priority, and in disadvantaged communities in 3rd and 4th class municipalities, as second priority. Selection of barangays within the aforementioned municipalities or urban areas shall give priority to SRA convergence areas as defined under Administrative Order 194.

CIDSS implementation shall include, among others, the following activities:

- a. Undertake orientation-consultation, MBN survey, poverty mapping and other preparatory activities with the Presidential Commission to Fight Poverty, local government units and other Convergence Lead Agencies to ensure the eventual adoption and implementation of CIDSS in their respective areas by phases;
- b. Include resource requirements for nationwide adoption of the CIDSS in its succeeding budget proposals;
- c. Interface with existing local development councils and SRA technical working groups at all levels to ensure convergence of services for effective CIDSS implementation and full transfer of program, including its funds, to the local government units within five (5) years; and
- d. Prepare necessary operational system with CIDSS partner agencies.

SEC. 2. Partner Agencies. - The Department of Social Welfare and Development (DSWD), Department of Health (DOH), Department of Education, Culture and Sports (DECS), Department of the Interior and Local Government (DILG) and the Presidential Commission to Fight Poverty (PCFP), as CIDSS major partner agencies, are hereby directed to determine their specific program inputs to CIDSS; designate focal teams at all levels who shall coordinate with DSWD; issue agency directives; and allocate funds for these purposes.

SEC. 3. Implementation of CIDSS. - All local government units of 5th and 6th class municipalities; urban poor communities as well as 3rd and 4th class municipalities are hereby directed to adopt and implement the CIDSS in coordination with the DSWD; issue local ordinance to this effect; allocate local government counterpart funds; and designate community-based implementor.

SEC. 4. Implementing Rules And Regulations. - The DSWD, in consultation with the partner agencies and representatives of the League of Municipalities of the Philippines, the League of Cities of the Philippines, League of Provinces and Liga ng Mga Barangay, is tasked to prepare the implementing rules and regulations of this Executive Order within thirty (30) days after its signing.

SEC. 5. Effectivity. - This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the Republic of the Philippines to be affixed to this Order.

DONE in the City of Manila, this 24th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 444

AMENDING EXECUTIVE ORDER NOS. 250, 250-A S. 1995 AND 419
S. 1997 IMPLEMENTING THE RATIONALIZATION OF DUTY FREE STORES/
OUTLETS AND THEIR OPERATIONS IN THE PHILIPPINES PURSUANT TO
EXECUTIVE ORDER NO. 140 s. 1993 AND FOR OTHER PURPOSES

WHEREAS, Executive Order No. 140 dated 30 November 1993 provides for the rationalization of duty free stores/outlets and their operations in the Philippines in order to enhance their conformity with generally observed practices in most countries and to avoid their possible adverse impact on local enterprises;

WHEREAS, Executive Order No. 250 dated 2 June 1995, as amended, implements such rationalization by modifying policies and improving certain operational aspects of duty free stores/outlets in the Philippines;

WHEREAS, there is a need to further modify policies and guidelines affecting the duty free stores/outlets in order to prevent abuse of duty free privilege and to protect local industries from unfair competition;

WHEREAS, the Clark Special Economic Zone will be an important site for the year-round 100th anniversary celebration of the Philippine Independence in 1998;

WHEREAS, the operation of the duty free shops/outlets in the Subic Special Economic and Free Port Zone and Clark Special Economic Zone, but under proper and strict limitations, is needed to enhance domestic tourism and help generate support for the centennial activities;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Disallowing the Establishment of New Duty Free Shops, Reiterated. As mandated under Executive Order No. 419 dated 16 June 1997, the establishment of new duty free shops/outlets and the expansion of existing ones shall no longer be allowed, except as may be authorized by existing laws.

Section 2. Limiting Duty Free Shops Operations in International Ports of Entry and Fenced-in Areas of Freeport Zones. The operation of duty free shops shall be allowed only within the country's international ports of entry and the fenced-in areas of the freeport zones, except as provided in the succeeding section for a limited period as indicated.

Section 3. Special Shopping Privileges Granted During the Year-round Centennial Anniversary Celebration in 1998. Upon effectivity of this Order and up to the Centennial Year 1998, in addition to the permanent residents, locators and employees of the fenced-in areas of the Subic Special Economic and Freeport Zone and the Clark Special Economic Zone who are allowed unlimited duty free purchases, provided these are consumed within said fenced-in areas of the Zones, the residents of the municipalities adjacent to Subic and Clark as respectively provided in R.A. 7227 (1992) and E.O. 97-A s. 1993 shall continue to be allowed One Hundred US Dollars (US\$100) monthly shopping privilege until 31 December 1998. Domestic tourists visiting Subic and Clark shall be allowed a shopping

privilege of US\$25 for consumable goods which shall be consumed only in the fenced-in area during their visit therein.

Section 4. Grant of Duty Free Shopping Privileges Limited Only To Individuals Allowed by Law. Starting 1 January 1999, only the following persons shall continue to be eligible to shop in duty free shops/outlets with their corresponding purchase limits:

- a. *Tourists and Filipinos traveling to or returning from foreign destinations under E.O. 97-A s. 1993* - One Thousand US Dollars (US\$1,000) but not to exceed Ten Thousand US Dollars (US\$10,000) in any given year;
- b. *Overseas Filipino Workers (OFWs) and Balikbayans defined under R.A. 6768 dated 3 November 1989* - Two Thousand US Dollars (US\$2,000);
- c. *Residents, eighteen (18) years old and above, of the fenced-in areas of the freeports under R.A. 7227 (1992) and E.O. 97-A s. 1993* - Unlimited purchase as long as these are for consumption within these freeports.

The term “Residents” mentioned in item c above shall refer to individuals who, by virtue of domicile or employment, reside on permanent basis within the freeport area. The term excludes (1) non-residents who have entered into short- or long-term property lease inside the freeport, (2) outsiders engaged in doing business within the freeport, and (3) members of private clubs (e.g., yacht and golf clubs) based or located within the freeport. In this regard, duty free privileges granted to any of the above individuals (e.g., unlimited shopping privilege, tax-free importation of cars, etc.) are hereby revoked.

Section 5. Allowable Items in Duty Free Stores/Outlets. The range of items to be sold in all duty free stores/outlets shall be limited only to consumables, light and heavy durables, and television sets of sizes not manufactured in the Philippines, subject to the following conditions:

- a. Imported heavy durables shall only be sold to balikbayans, OFWs and residents of the secured and fenced-in area of freeports. In availing of this privilege, the following shall be presented as proof of entitlement:

Filipino citizen who has been continuously out of the country for at least one (1) year from date of last departure:

Philippine Passport showing date of last departure

2. Foreign passport holder (Balikbayan):

Passport and any one of the following:

- Old Philippine Passport
- Foreign naturalization papers to show former Philippine citizenship
- Certification from adopted country

3. Filipino OCW or Filipino Overseas Worker (OFW):

Passport and any of the following:

- POEA-approved contract of employment
- Certificate of employment by the foreign employer
- Certificate of employment by the Philippine Embassy/Consulate
- Prior year's income tax return to prove gainful employment abroad
- Seaman's Service Record Book

Family members of the balikbayan who are traveling with the balikbayan should present:

Passport and any of the following:

- Birth certificate, in the case of children
- Marriage certificate, in the case of the spouse
- Adoption papers, in the case of legally adopted children.

b. Duty free stores/outlets are restricted from selling the following heavy durables to tourists and Filipinos arriving from foreign destinations:

1. Television sets of sizes made or manufactured in the Philippines;
2. Karaoke/videokas not using laser disk or CD videos;
3. Stereos;
4. Residential type ovens and ranges;
5. Washing machines with capacity of not more than 10 kilograms;
6. Furniture;
7. Kitchenware;
8. Refrigerators of not more than 15 cubic feet top mount;
9. Electric fans;
10. Airconditioners; and
11. Basic and prime commodities as indicated in the price watch list.

c. The sale of all locally manufactured goods in duty free stores shall be encouraged, subject to the rules and regulations of the Department of Finance.

d. No sensitive/critical agricultural products shall be sold in all duty free stores. These products include rice, sugar, corn, corn starch, flour, coffee beans, garlic and other products that may be determined by the Duty Free Oversight Committee created under EO 250.

Section 6. Pull-out of Duty Free Goods, Prohibited. The pull-out of duty free goods from the Freeport and Special Economic Zones into a customs territory or the practice of allowing duty free operators to sell their goods outside the freeport and special economic zones, even after paying the tax therefor, is hereby prohibited. Thus, goods that are originally imported duty free shall only be sold at the duly authorized duty free shops.

Section 7. Requirement of Pre-shipment Inspection of Goods. Goods which are brought into the Freeport and Special Economic Zones shall be covered by a pre-shipment inspection scheme to

be conducted by an organization which is duly authorized by the Secretary of Finance after 30 days from the effectivity of this Order. The fees for the pre-inspection scheme shall be shouldered by the concerned importer. Prior to the implementation of the pre-shipment scheme, the Commissioner of Customs is authorized to inspect shipments of goods to the Freeport and Economic Zones to ensure correctness of the declaration of their contents and values.

Section 8. Control Measures to Curb Abuses of Duty Free Privileges. The Bureau of Customs, in close coordination with the Zone authorities and other concerned agencies is hereby tasked to implement strict control measures to curb the abuses of the duty free privilege. Among others, these should include but not limited to the following:

- a. Place special permanent labels on duty free items with the following inscription: “Not for resale, imported duty free”;
- b. Conduct thorough background checks on duty free shop operators to ascertain track record;
- c. Implement a computerized accounting system to track the duty free operations; and
- d. Create an Internal Audit team to conduct regular spot checks on the operation of duty free stores/outlets.

Section 9. Administrative Sanctions. Violation of any of the provisions of this Order shall be subject to administrative sanction of suspension or cancellation of the operation of the concerned duty free shop under the implementing rules and regulations to be prepared by the Department of Finance.

Section 10. Separability Clause. The provisions of this Executive Order are hereby declared separable. In the event that provisions of this Executive Order are declared illegal or unconstitutional, the other provisions not so declared shall remain in full force and effect.

Section 11. Amending Clause. All provisions of executive orders, letters of instruction, issuances, memoranda and proclamations not consistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

Section 12. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 26th day of September, in the year of Our lord Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 445
PROVIDING FOR THE IMPLEMENTATION OF THE SZOPAD SOCIAL FUND
AND THE MECHANISM FOR THE ADMINISTRATION THEREOF

WHEREAS, the Government of the Republic of the Philippines has forged a Peace Agreement with the Moro National Liberation Front (MNLF) on September 2, 1996;

WHEREAS, the President has created the Special Zone of Peace and Development (SZOPAD) and the Southern Philippines Council for Peace and Development (SPCPD) through Executive Order No. 371 on October 2, 1996;

WHEREAS, the Government has invited both domestic and foreign donor institutions to support the goals of the peace and development process in the SZOPAD and some have already expressed their support;

WHEREAS, the victims of internal armed conflicts as well as the people of poor communities in the SZOPAD are in urgent need of assistance to enable them to access basic social services and opportunities for economic development;

WHEREAS, there is a need to create an institutional mechanism that will support and enhance international, national and local government initiatives and promote public and private sector partnership and synergy for the development of the SZOPAD;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. Implementation of the SZOPAD Social Fund. There is hereby established a mechanism for the implementation of the SZOPAD Social Fund, hereinafter referred to as the Fund, to undertake the implementation of small-scale social and economic infrastructure projects and services to sustain the gains of the peace process and accelerate the development of the SZOPAD.

SECTION 2. Purpose and Objectives of the Fund. The SZOPAD Social Fund shall:

- a) Coordinate development assistance to be mobilized to implement social and economic infrastructure projects in the SZOPAD;
- b) Provide a quick and responsive mechanism to facilitate financing of small-scale social and economic infrastructure projects; and
- c) Help meet basic needs of victims of armed conflicts and economically disadvantaged communities in the SZOPAD.

SECTION 3. The Board of Directors. The Board of Directors, hereinafter referred to as the Board, is hereby constituted with the following functions:

- a) Establish the financing policies and guidelines to accomplish the purpose and objectives in the implementation of the Fund;

- b) Review and approve the Annual Work and Financial Plan and the Special Budget of the Fund;
- c) Convene once every quarter and as may be necessary to resolve issues emerging from the operations of the Fund;
- d) Submit periodic reports to the President; and
- e) Perform other tasks that may be assigned by the President to promote the objectives of the Fund.

The Board shall be composed of the following:

- | | |
|---|---------------|
| (a) Executive Secretary | Chairman |
| (b) Secretary of Finance | Vice-Chairman |
| (c) Secretary of Budget and Management | Member |
| (d) Director-General of National Economic Development Authority | Member |
| (e) Chairman of the Southern Philippine Council for Peace and Development | Member |

The Presidential Adviser on the Peace Process and the Executive Director hereunder mentioned shall act as non-voting ex-officio Members.

SECTION 4. The Executive Committee. The Executive Committee, hereinafter referred to as the EXCOM, is also hereby constituted with the following functions:

- a) Review and recommend to the Board the Annual Work and Financial Plan as well as the Special Budget of the Fund;
- b) Safeguard the integrity of the fund and ensure the conduct of its periodic audit;
- c) Recommend amendments in policies and guidelines in the implementation of its financing operations that may be necessary to meet its objectives;
- d) Monitor the utilization of funds and ensure that fund policies are observed; and
- e) Convene every two weeks or as often as may be necessary to review and approve project proposals;
- f) Perform other tasks that may be assigned by the Board.

The EXCOM shall be composed of the permanent representatives of the five (5) voting members of the Board herein above constituted who shall be designated by the President.

In addition, one (1) representative from a duly accredited non-governmental organization engaged in social development work with an established track record of five (5) years, and one (1) representative from the private sector, civic organizations and the business community in the SZOPAD, shall be designated by the President as members of the EXCOM upon the recommendation of the Board.

The Executive Director acts as non-voting ex-officio member of the EXCOM, with the permanent representative of the SPCPD as Chairman.

SECTION 5. The Executive Director. The Executive Director shall head a Management Office (MO), which is hereby created composed of the technical and administrative personnel and acts as the Secretariat of the EXCOM.

The Executive Director shall:

- a) Organize an *ad hoc* office and establish the staffing complement thereof, subject to existing standards and procedures;

- b) Screen project proposals for the approval of the EXCOM;
- c) Prepare the Annual Work and Financial Plan and the Special Budget of the Fund;
- d) Develop the administrative systems and procedures that shall facilitate the quick and timely approval of projects and release of funds;
- e) Maintain financial records and book of accounts with regard to the utilization of funds;
- f) Monitor the status of project implementation; and
- g) Perform other tasks that may be assigned by the EXCOM.

SECTION 6. Fund Sources. The loan proceeds from the World Bank and corresponding government counterpart, and other foreign assistance specifically intended for the SZOPAD projects shall accrue and constitute the Special Budget of the Fund. Grant proceeds specifically intended for the SZOPAD projects shall likewise accrue to said Fund which shall initially finance its operational and administrative expenses. Contributions from other funding agencies shall be used to augment these resources.

SECTION 7. Review and Evaluation. The Board and the participating donor agencies shall undertake the review and evaluation of the operations of the Fund on or before 31 July 1999.

SECTION 8. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 1st day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 446
MANDATING THE PHASE-OUT OF LEADED GASOLINE AS ONE
OF THE MEANS OF SOLVING AIR POLLUTION

WHEREAS, Section 16, Article II of the 1987 Constitution provides that “[T]he State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”;

WHEREAS, Section 4, Chapter I, Title XIV, Book IV of the Administrative Code of 1987 empowers the Department of Environment and Natural Resources (DENR) to “formulate, implement and supervise the implementation of the government’s policies, plans and programs pertaining to the management, conservation, development, use and replenishment of the country’s natural resource”;

WHEREAS, the use of lead in gasoline is one of the main causes of air pollution particularly in Metro Manila;

WHEREAS, lead affects virtually every part of the body and has long been recognized as a neurotoxin with deleterious effects on the intelligence of human beings; on the other hand, it is an additive for gasoline to prevent knocking of engines as well as provide lubricity to engines with soft valves, and the removal of such would require changes in the gasoline formulation and/or use of replacement additives;

WHEREAS, changes in the fuel formulation may need corresponding complementing measures on its use, storage, handling and distribution; and

WHEREAS, it is the role of the government to ensure adequate and continuous supply of fuels, and at the same time ensure that other possible additives, contaminants, and components shall not reach harmful levels.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The DENR, in coordination with the Department of Energy (DOE), the Department of Trade and Industry (DTI), and the Department of Finance (DOF) shall mandate the phase-out of leaded gasoline and the phase-in of unleaded gasoline and other suitable unleaded replacement not later than 01 January 2000 in Metro Manila, and nationwide by 01 January 2001, provided that unleaded gasoline and other unleaded replacements shall not result in the aggravation of pollution problems and undue economic difficulties to users.

SEC. 2. The DENR, in coordination with the DOE, DTI and the Department of Science and Technology (DOST) shall formulate and implement appropriate measures such as, but not limited to, quality standards for the fuel and facilities in the manufacture, storage, handling and distribution of unleaded gasoline and other suitable unleaded substitutes.

SEC. 3. The DENR, in coordination with the Department of Transportation and Communication (DOTC), DOE, DTI and DOST shall promote the adoption of necessary measures such as, but not

limited to, the inspection, maintenance and use of emission control systems in motor vehicles to control and reduce the pollution from motor vehicle emissions.

SEC. 4. The DENR, in coordination with the DOE, DOTC, DTI and non-government organizations (NGOs) shall conduct continuous evaluation, monitoring and assessment of the phase-out activities and their impacts.

SEC. 5. The DENR in coordination with the Department of Education, Culture and Sports (DECS), the Philippine Information Agency (PIA), the Department of Interior and Local Government (DILG), and other concerned agencies and NGOs shall be involved in a concerted effort for public information dissemination on this matter.

SEC. 6. In the implementation of this Executive Order, the Secretary of Environment and Natural Resources shall require manufacturers and suppliers of fuel additives, and motor vehicles, as well as other entities that may be identified to:

1. Coordinate with the DENR, DOE, DTI, Department of Health (DOH) and DOST in the conduct of test/studies to determine potential public health effects of such fuel or additive, including, but not limited to carcinogenic, teratogenic, or mutagenic effects; and
2. Furnish the description of any analytical technique that can be used to detect and measure the recommended range or concentration of additive, and other necessary information to determine: (i) the emissions resulting from the use of the fuel or the additive contained in such fuel; (ii) the effect of such fuel or additive on the emission control performance of any vehicle engine; and (iii) the effect of fuel emission on public health or welfare.

SEC. 7. Consistent with the Philippine Agenda 21, the DENR, in coordination and consultation with the concerned agencies and sectors including business, labor and civil society, shall, within six (6) months, promulgate such rules and regulations as may be necessary for the effective implementation of this Executive Order.

SEC. 8. This Executive Order shall take effect thirty (30) days following its publication in a newspaper of general circulation.

DONE in the City of Manila, this 26th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 447

FURTHER AMENDING EXECUTIVE ORDER NO. 175, DATED APRIL 30, 1994, AS AMENDED BY EXECUTIVE ORDER NO. 223, DATED FEBRUARY 1995, EXECUTIVE ORDER NO. 229, DATED MARCH 19, 1995, AND EXECUTIVE ORDER NO. 259, DATED JULY 11, 1995, WHICH CREATED THE NORTHWESTERN LUZON GROWTH QUADRANGLE COMMISSION

I, **FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby further amend Section 1 of Executive Order No. 175, dated April 30, 1994, as amended by Executive Order No. 223, dated February 7, 1995, Executive Order No. 229, dated March 19, 1995, and Executive Order No. 259, dated July 11, 1995, which created the Northwestern Luzon Quadrangle Commission, to include the Chairman of the Cordillera Regional Assembly as Commission Member.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 2nd day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 448
ESTABLISHING THE PHILIPPINE QUALITY AWARD AND CREATING
THE PHILIPPINE QUALITY AWARD COMMITTEE

WHEREAS, the Philippines has adopted the National Action Agenda for Productivity as a comprehensive strategy to sustain its economic growth, further strengthen the global competitiveness of its products and services, and accelerate its transformation into a Newly Industrialized Economy;

WHEREAS, there is a need to establish a national system of awards as a specific strategy to promote quality excellence in private and public sector organizations and provide a framework for assessing organizational performance and recognizing quality excellence;

WHEREAS, award winners can serve as benchmarks and models of excellence for other organizations to emulate, thereby building a culture of continuous improvement in the country;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Establishment of the Philippine Quality Award. The Philippine Quality Award (PQA) is hereby established to be conferred annually to qualified organizations in the private and public sectors which have demonstrated any of the four levels of performance, namely:

- a. **Platinum Award for Quality (Excellence Award)**
The organization should have demonstrated management excellence by the purposefulness with which it continues to improve and build upon outstanding results and excellence systems. It should serve as a national and global model.
- b. **Gold Award for Quality (Mastery Award)**
The organization should have demonstrated, through its practices and achievements, superior results clearly linked to robust management systems. It should exhibit practices which other organizations can learn from and should serve as a role model for other organizations in the Philippines.
- c. **Silver Award for Quality (Proficiency Level)**
The organization should have demonstrated, through implementation of quality and productivity management principles, significant progress in building sound and notable processes. It should have a documented and solid approach to system-level quality and productivity management and has been implementing quality and productivity improvement plans and procedures.

d. Bronze Award for Quality (Commitment Level)

The organization should have demonstrated its serious commitment to the PQA as a catalyst for improvement and a means of promoting competitive and managerial excellence. It should have planted the seeds of quality and productivity and is working towards reaping long term benefits of its efforts.

SEC. 2. Objectives of the Award. The Philippine Quality Award, herein referred to as PQA, has three objectives:

- a. To promote standards on organizational performance comparable to those of leading businesses abroad pursuant to the country's effort to be globally competitive;
- b. To establish a national system for assessing quality and productivity performance, thus providing both private and public sectors with criteria and guidelines for self-assessment to guide continuous improvement efforts; and
To recognize organizations which have achieved the highest level of quality and business excellence, thus providing Philippine industries with benchmarks and models to emulate.

Sec. 3. Creation of a Philippine Quality Award Committee. There is hereby created a Philippine Quality Award Committee under the Philippine Council for Productivity to oversee the PQA System to ensure the credibility of all aspects of the award system, including the adequacy of the criteria and processes for conferment of the awards, and to assess how well the award is serving the national interest.

SEC. 4. Composition of the Committee. The PQA Committee shall be chaired by the Secretary of the Department of Trade and Industry, with the President of the Development Academy of the Philippines as Vice-Chair and the President of the Philippine Quality and Productivity Movement as Co-Vice-Chair. The heads of the following agencies/organizations shall serve as members of the Committee:

- a. Philippine Society for Quality Control;
- b. Department of Budget and Management;
- c. Industry Development Council;
- d. Management Association of the Philippines;
- e. National Wages and Productivity Commission; and
- f. Philippine Association for Technological Education.

The Chairman of the National Wages and Productivity Commission shall designate, as member representing the labor sector, a recognized labor leader actively working in the area of quality management.

The Chairman of the Civil Service Commission shall be invited to participate as member of the PQA Board.

SEC. 5. Functions of the Philippine Quality Award Committee. The PQA Committee shall have the following functions:

- a. Serve as the steering and policy-making body for the PQA;
- b. Set up and review the designation of the Award Administration including the institutional structure and operational mechanisms of the PQA System;

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- c. Adopt a system of public and private counterparting for the management of funds during the initial years of the PQA implementation;
 - d. Contribute the initial seed fund for the PQA and eventually establish an Endowment Fund;
 - e. Advocate legislative proposals including appropriations for the PQA;
 - f. Initiate and coordinate the necessary activities for the successful implementation of the PQA;
 - g. Set guidelines and criteria for the evaluation of award applicants and the selection of the awardee;
 - h. Plan and implement appropriate awarding ceremonies;
 - i. Submit regular reports to the President through the Philippine Council for Productivity; and
 - j. Perform other functions as may be deemed necessary and incidental to carry out the objectives of this issuance.

SEC. 6. Scope of the Award. The PQA shall be conferred annually to qualified organizations following eligibility categories:

- a. Private Sector Awards
 - Manufacturing Companies
 - Service Companies
 - Agricultural Producers
 - Small and Medium Enterprises
- b. Public Sector Awards
 - National Line Agencies
 - Government-Owned and Controlled Corporations
 - Local Government Units

SEC. 7. Method of Selection. Awardees shall be selected using the following major criteria:

- a. Leadership
- b. Information and Analysis
- c. Strategic Planning
- d. Human Resource Development and Management
- e. Process Management
- f. Business Results
- g. Customer Focus and Satisfaction

SEC. 8. Implementing Agencies. The following agencies / offices are hereby designated the following tasks:

- a. The Award Manager shall be the Department of Trade and Industry. As Award Manager, the DTI shall be responsible for the conduct of the awards process. It shall validate and endorse to the President the list of awardees selected by the Board of Judges.
 - b. The Award Administrators shall be the Philippine Society for Quality Control for the private sector and the Development Academy of the Philippines for the public sector. The Award Administrators shall disseminate award application and information materials, receive award applications and provide secretarial services for the Team of Assessors.
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- c. The Team of Assessors and the Board of Judges, the composition of which shall be chosen by the PQA Committee, shall be a well-selected and specially trained group of business and quality practitioners from industry, academe and government. The Team of Assessors shall evaluate award applications and prepare feedback reports. The Board of Judges shall review and recommend award recipients to the PQA Committee.

SEC. 9. Organization of a Management Committee. – In the performance of its duties and responsibilities, the PQA Committee shall organize a Management Committee to serve as the implementing arm as well as administrative secretariat of the Committee.

The PQA Committee shall invite other organizations to undertake technical work and mobilize public support for the PQA, as may be necessary.

SEC. 10. Funding. A seed money of one million pesos (P 1 M) shall be charged to the budget of the Department of Trade and Industry. Member organizations of the PQA Committee shall contribute additional funds necessary for the attainment of the objectives of this issuance. Assistance from government and the private sector shall be solicited to establish an Endowment Fund for the PQA System. The PQA Committee shall be responsible for creating a Foundation which shall manage the Endowment Fund.

SEC. 11. Trophy Design. The PQA trophy shall bear the Presidential Seal and the Logo of the Philippine Quality Award. The PQA Committee shall prescribe the design specifications of the trophy.

SEC. 12. Conferment of the Awards. The Awards shall be conferred by the President of the Philippines in appropriate ceremonies for this purpose.

SEC. 13. Implementing Guidelines. The Department of Trade and Industry shall issue the necessary guidelines for the effective implementation of this Executive Order.

SEC. 14. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 449
REALIGNING THE ORGANIZATION OF THE BUREAU OF TREASURY

WHEREAS, on one hand, the Bureau of Treasury has assumed the fiscal agency function of the national government from the old Central Bank of the Philippines;

WHEREAS, on the other hand, the function of releasing Internal Revenue Allotments to local government units had been transferred to the Department of Budget and Management;

WHEREAS, the Bureau has decentralized its fidelity bonding of all accountable officers to the regional/provincial level;

WHEREAS, the Bureau has moved towards full computerization and networking with such projects as the implementation of the Automated Debt Auction which improved the processing of securities;

WHEREAS, in the light of these changes, there is an urgent need to restructure the functional groupings in the Bureau and thus enable it to perform more effectively its functions;

WHEREAS, under Section 78 of the General Provisions of Republic Act No. 8250 (General Appropriations Act for FY 1997), heads of departments, bureaus and agencies are directed to scale down, phase out or abolish activities no longer essential in the delivery of public services;

WHEREAS, under Section 76 of the General Provisions of Republic Act No. 8250, the President may direct changes in the organization and key positions in any department, bureau or agency;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Restatement of the functions of the Bureau of the Treasury.* The Bureau of the Treasury, hereinafter referred to as the Bureau, shall have the following functions:

1. Assist in the formulation of policies on borrowing, investment and capital market development;
2. Formulate adequate operations guidelines for fiscal and financial policies;
3. Assist in the preparation by government agencies concerned of an annual program for revenue and expenditure targets, borrowing levels and cash balances of National Government (NG);
4. Maintain books of accounts of cash transactions of the NG;
5. Manage the NG cash resources, collect advances made by NG and guarantee forward cover fees due NG, control and service its public debt, both foreign or domestic;
6. Issue, service, redeem government securities for the account of the NG as may be authorized by the President pursuant to law;
7. Administer the Securities Stabilization Fund by purchase and sale in the open market of government bills and bonds to increase the liquidity and stabilize the value of said securities in order to promote private investment in government securities;

8. Act as principal custodian of financial assets of the NG, its agencies and instrumentalities;
9. Bond all accountable public officials and employees pursuant to the provisions of the Public Bonding Law and issue appropriate guidelines therefor; and
10. Perform such other related functions as may be assigned to it by competent authorities.

SEC. 2. The Bureau shall be composed of the following organizational units:

1. *Office of the Treasurer of the Philippines* - The Bureau shall be headed by the *Treasurer of the Philippines (TOP)* who shall be appointed by the President upon the recommendation of the Secretary of Finance hereinafter referred to as the Secretary. The following Services shall directly assist the TOP in his functions:
 - 1.1 *Legal Service*, which shall provide legal advice and opinion to the agency on matters involving statutes, laws, rules and regulations affecting the Bureau; act as counsel of the Bureau or the Treasurer of the Philippines in court litigation; take legal action against violators of Treasury regulations; handle the escheat of dormant accounts with banks pursuant to existing laws; and conduct investigation and hearing of administrative cases filed against Treasury personnel.
 - 1.2 *Internal Audit and Security Service*, which shall review and evaluate the control procedures for the purpose of ascertaining the adequacy, propriety and effectiveness of the control system; audit maturing coupon payments attached to Land Bank Bonds; formulate and enforce adequate security measures for Treasury officials, employees and properties; and provide escort and security services to the National Cashier when withdrawing cash from the Bangko Sentral ng Pilipinas and upon request, to other representatives of government agencies withdrawing cash from the National Treasury.
2. *Planning and Policy Subsector* - The Subsector shall be headed by a Deputy Treasurer of the Philippines who shall be appointed by the President upon the recommendation of the Secretary. It shall be composed of the following:
 - 2.1 *Research Service*, which shall prepare, in coordination with various government agencies and instrumentalities of the NG, annual plans and programs with respect to inflow of funds from revenues and debt sources into the Treasury; formulate and recommend policies, plans and programs for the management of the NG's cash resources, domestic debt and financial assets; assess results of operations in relation to NG's cash, debt and financial asset policies, plans and programs; provide technical assistance and advice on matters pertaining to management of funds, flotation of government securities, fiscal programming, debt management, etc.; and conduct researches and policy studies aimed at improving the overall treasury management.
3. *Operations Subsector* - The Subsector shall be headed by a Deputy Treasurer of the Philippines who shall be appointed by the President upon the recommendation of the Secretary. It shall be composed of the following:
 - 3.1 *Asset Management Service*, which shall take charge of the effective management of the NG's cash receipts and disbursements; maximize the earnings of NG's fund and reduce

cost through timely and proper investment of idle cash balances in high yielding interest account and prompt servicing of NG's obligations; administer effectively the Bond Sinking Fund (BSF) and Securities Stabilization Fund (SSF); see to it that collections due the Bureau that are received during the day are deposited with authorized government depository banks (AGDBs) on the same day; act as custodian of NG's holdings in governments securities and other non-cash accounts and securities for safekeeping; see to it that national collections are accurately credited to the Savings Account of the TOP by AGDBs on the day the collections are received; and determine the correctness of interest credited by AGDBs to the TOP's account.

- 3.2 ***Liability Management Service***, which shall interlink revenue and expenditure operations of the government; render assistance on matters involving policy formulation and rationalization of public borrowings and management of borrowed funds; participate in the programming, structuring and timing of borrowing proposals in close coordination with the Bangko Sentral ng Pilipinas and the Department of Budget and Management; render assistance to government agencies, corporations and financial institutions on matters pertaining to loan proceeds; monitor data on availments of repayments and status of the public debts; and maintain inventory of documents on various public sector external liabilities transferred to the NG.
4. ***Auxiliary Subsector*** - The Subsector shall be headed by a Deputy Treasurer of the Philippines who shall be appointed by the President upon the recommendation of the Secretary. It shall be composed of the following:
 - 4.1 ***Accounting Service***, which shall account for all receipts and disbursements of the national government, including national collections and budgetary expenditures, foreign and domestic obligations, backpays and emergency currency notes; compute guarantee fees and interest on advances and prepare billings/collection statements; account for the liabilities transferred to NG; maintain subsidiary ledger accounts; and prepare financial statements/reports.
 - 4.2 ***Administrative Service***, which shall be responsible for providing general housekeeping services in the Bureau, including the procurement of supplies, materials and equipment and maintenance of building premises, properties and assets; administration of personnel management programs involving the recruitment, selection and promotion of officials and employees; and conduct of training courses and seminars to enhance personnel benefits.
 - 4.3 ***Management Information Systems Service***, which shall provide support services to all operating units in the Bureau whose operational requirements call for the use of computers.
5. ***Regional Offices*** - These Offices shall include all Provincial/District Offices which shall report directly to the TOP. They shall be responsible for the examination of the books of accounts of national collecting officers and local treasurers, including the monitoring of reports of provincial offices; providing technical advice and support to government field representations in the implementation of laws, rules and regulations governing Treasury operations; recommending Fidelity Bond claims to the Treasurer of the Philippines for payment,

chargeable against the Fidelity Fund; and consolidating daily reports on national collections and disbursements as submitted by provincial offices.

SEC. 3. *Funding.* Funds needed to carry out the provisions of this Executive Order shall be taken from funds available in the Bureau.

SEC. 4. *Redeployment of Personnel.* The TOP may redeploy officials and employees in the Bureau in accordance with the realigned functions herein prescribed. Said redeployment, however, shall not result in the dislocation of existing personnel nor in the diminution of rank and compensation and shall take into account pertinent Civil Service laws and rules.

SEC. 5. *Implementing Rules and Regulations.* Subject to the approval of the Secretary, the TOP shall prepare the rules and regulations to ensure the effective implementation of the provisions of this Executive Order.

On the basis of the organizational changes embodied in this Executive Order, the TOP shall submit a detailed organizational structure of the Bureau, including functional statements and staffing pattern for review and approval of the Department of Budget and Management.

SEC. 6. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 441 - 488*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 450
ORDERING THE DISMANTLING OF ILLEGAL FISHPENS AND FISHCAGES WITHIN THE
MUNICIPAL WATERS OF THE LINGAYEN GULF

WHEREAS, Presidential Proclamation No. 156 declared the Lingayen Gulf as an environmentally critical area;

WHEREAS, Executive Order No. 171 created the Lingayen Gulf Coastal Area Management Commission (LGCAMC) to coordinate all activities relative to the protection, rehabilitation, preservation, development and management of the Lingayen Gulf;

WHEREAS, to date, there are more than 3,000 fishpens and fishcages located in the rivers and municipal waters of the Lingayen Gulf;

WHEREAS, approximately ninety five percent (95%) of said fishpens and fishcages are operating without the necessary authority and permit from the concerned local government units;

WHEREAS, the existence and proliferation of these fishpens and fishcages have:

- a) contributed to the pollution of the Lingayen Gulf and its river tributaries as a result of over stocking and excessive use of commercial feeds resulting to rampant occurrence of massive “fishkills” leading to multi-million peso damages in the fishery industry;
- b) hampered the natural flow of rivers and obstructed free navigation;
- c) tremendously reduced the fishing grounds for sustenance fishermen; and
- d) polluted the water and consequently affected fishpond operations that caused multi-million peso damages in the fishpond industry.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. All fishpens and fishcages illegally constructed without permit from the LGU and/or BFAR within the municipal waters of the Lingayen Gulf, to include the Hundred Islands National Park (HINP), shall be dismantled and removed not later than thirty (30) days from the promulgation of this Executive Order. The concerned LGUs are prohibited from issuing permits/authority to operate fishpens and fishcages until such time that the Comprehensive Coastal Development Plan will be formulated and a Municipal/City Fishery Ordinance be enacted in accordance with Section 3.

SEC. 2. The Inter-Agency Task Force on Coastal Environment Protection (IATFCEP) of Region I in coordination with the Lingayen Gulf Coastal Area Management Commission (LGCAMC) and the Local Government Units (LGUs) shall dismantle the illegal fishpens and fishcages within the municipal waters and rivers of the Lingayen Gulf.

SEC. 3. A Comprehensive Coastal Development Plan (CCDP) shall be formulated by the concerned LGUs. The concerned LGUs should likewise enact a Municipal/City Fishery Ordinance based on the CCDP to regulate the operation of fishpens and fishcages.

SEC. 4. The Department of Environment and Natural Resources (DENR) shall provide the initial operational fund requirement amounting to One Million Pesos (P1M). The Department of Agriculture (DA), Department of Interior and Local Government (DILG), Philippine Tourism Authority (PTA) and the Department of National Defense (DND) shall provide One Million Pesos (P1M) each for the full implementation of this Order.

SEC. 5. This Executive Order shall take effect immediately and shall remain in full force until the above-stated tasks shall have been attained.

DONE in the City of Manila, this 17th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 451
CREATING THE CATEGORY OF NATIONAL ARTIST FOR HISTORICAL LITERATURE

WHEREAS, the Constitution provides for State patronage of arts and letters;

WHEREAS, the category known as National Artist was created under Proclamation No. 1001, dated April 27, 1972;

WHEREAS, preeminent achievements that have enhanced the Filipino's cultural heritage deserve the recognition and acknowledgment of our Government in pursuit of its policy of preserving and developing Filipino culture and a national identity;

WHEREAS, excellence in the field of Historical Literature contributes to the artistic heritage of the Philippines and therefore deserves such recognition and acknowledgment of our Government;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the creation of the category of National Artist for Historical Literature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 9th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 452
PROVIDING FOR THE GUIDELINES THAT WILL ENSURE THE SECURITY
OF REGISTERED VENDORS IN THE WORKPLACE

WHEREAS, it has been a declared policy of the state to pursue an all-out war against poverty and to improve the quality of life of every Filipino as embodied in Philippines 2000 and the Philippine Medium Term Development Plan;

WHEREAS, the Social Reform Agenda (SRA), as the operationalization of the people empowerment track of the Philippines 2000, has been expanded to become the Integrated National Action Agenda on Anti-Poverty as adopted during the National anti-Poverty Summit held last 19-20 March 1996;

WHEREAS, the SRA addresses the problems of the poorest sectors of our society, including vendors who form part of the disadvantaged workers in the Informal Sector;

WHEREAS, consistent with the tenets of Social Reform, there is an urgent need to protect the vendors from being deprived of their livelihood as well as the rights of consumers and citizens from any negative effects that the vending industry may have on the environment and on the welfare of the public in general.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of the guidelines that will ensure the security of registered vendors in the workplace:

SECTION 1. Creation and Composition of the Inter-Agency Council on the Security of Registered Vendors. An Inter-Agency Council on the Security of Registered Vendors, hereinafter referred to as the Council, is hereby created to formulate and implement policies and programs that will provide security to registered vendors in the workplace nationwide. The Council shall be chaired by the Secretary of the Interior and Local Government and composed of representatives of the following:

- a. Philippine National Police (PNP);
- b. Department of Trade and Industry (DTI);
- c. Department of Labor and Employment (DOLE);
- d. Metropolitan Manila Development Authority (MMDA);
- e. One (1) representative each from the League of Provinces, Cities and Municipalities, the Philippine Councilors' League; and,
- f. Two (2) representatives of the Workers in the Informal Sector, to be appointed by the Council Chairman.

Sec. 2. Functions of the Council. The Council shall undertake the following:

- a. Formulate policies and programs that will accord protection and provide security to the registered vendors nationwide;
- b. Issue within forty-five (45) days upon effectivity of this Order, the Implementing Rules and Regulations (IRR) on the provision of security and system of registration for all vendors nationwide which shall be formulated in consultation with all concerned sectors and consistent with existing laws (e.g. R.A. 7160 or the Local Government Code dated 10 October 1991, R.A. 4136 or the Land Transportation Code dated 20 June 1964);
- c. Periodically review and revise, whenever necessary, the Implementing Rules and Regulations of this Order;
- d. Monitor and ensure the effective implementation of the provisions of this Executive Order;
- e. Submit quarterly reports to the President, as may be necessary; and,
- f. Perform other functions as may be directed by the President.

SEC 3. Coverage and System of Registration. The guidelines shall cover vendors in all cities and municipalities throughout the country, whereby each city and municipality shall establish a system for registration and issuance of permit to vendors to protect their rights and the interest of consumers and the general public.

SEC. 4. Designation of Workplaces. The city or municipality, in consultation with vendors, the affected community and other sectors or groups, shall identify and designate viable workplaces, and design a system of assigning spaces to registered vendors.

Workplaces include markets, vacant areas within the vicinity of markets and other vacant public spaces which may be designated as allowable vending sites.

SEC. 5. Empowerment of Vendors. All concerned National Government Agencies shall provide the support necessary to the vendors' self-development into healthy, informed, environmentally aware, progressive and productive citizens. Vendors shall be encouraged to organize themselves into associations reflective of their ideals and aspirations.

SEC. 6. Policy on Eviction and Demolition. Pending the issuance of the Implementing Rules and Regulations of this Executive Order, vendors shall not be arbitrarily deprived of their livelihood by being unjustly ejected from their workplaces nor their stalls demolished provided that this policy shall not apply to vendors who started occupying such workplaces after the effectivity of this Executive Order.

SEC. 7. Separability Clause. If any provision of this Executive Order or the application of such provisions is declared unconstitutional or illegal, the remaining provisions thereof shall not be affected by such declaration.

SEC. 8. Repealing Clause. All other orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 9. Effectivity. This Executive Order takes effect immediately.

DONE in the City of Manila, this 24th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 453

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE 1997-2003 PHILIPPINE SCHEDULE OF TARIFF REDUCTION UNDER THE NEW TIME FRAME OF THE ACCELERATED COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE ASEAN FREE TRADE AREA (AFTA)

WHEREAS, under Executive Order No. 287, series of 1995, the Philippines implemented the 1996 Philippine Schedule of tariff reduction under the new time frame of the accelerated Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA);

WHEREAS, at the 28th Meeting of the ASEAN Economic Ministers (AEM) held in Jakarta, Indonesia on 12-14 September 1996, it was agreed that Member Countries shall prepare one legal enactment to implement the schedule of tariff reductions under the new time frame covering the whole period from 1997 to 2003;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” (Articles Granted Concessions under the CEPT-AFTA) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN Common Effective Preferential Tariff in accordance with the 1997-2003 schedule indicated in Columns 4-10 of Annex “A”. The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN member states applying CEPT concession to the same product pursuant to Article 4 of the CEPT Agreement and its Interpretative Notes.

SEC. 2. The articles specifically listed in Annex “B” (Articles for Phasing-in the CEPT-AFTA) hereof shall be subject to the ASEAN rate in accordance with the 1997 schedule indicated in column 4 of Annex “B”. Implementation of the ASEAN preferential tariff schedule indicated in columns 5-10 of Annex “B” for the succeeding years shall be subject to the issuance of separate implementing executive orders.

SEC. 3. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annexes “A” and “B” to a rate lower than the rate prescribed in columns 4-10 of Annex “A” and Column 4 of Annex “B” such article shall automatically be accorded the corresponding reduced duty.

SEC. 4. The Margins of Preference (MOPs) accorded under the ASEAN Preferential Trading Arrangements (PTA) shall no longer be extended to any of the products under Annexes “A” and “B” hereof.

SEC. 5. Upon the effectivity of this Executive Order, all articles listed in Articles “A” and “B” entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty for 1997-2003 herein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SEC. 6. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 7. This Executive order shall take effect immediately.

DONE in the City of Manila, this 31st day of October, in the year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 454
IMPLEMENTING AUSTERITY MEASURES IN GOVERNMENT FOR 1997

WHEREAS, in the light of the current currency crisis, the government has reassessed its financial condition to ensure that its targeted fiscal position remains on track;

WHEREAS, the recent peso depreciation and associated rise in interest rates will increase government expenditures in terms of higher foreign-denominated costs and larger expenditures for debt servicing, among others;

WHEREAS, there is a need to maintain a prudent and firm fiscal posture to send positive signals about the government's genuine commitment to economic stability and sustainable growth and facilitate the reduction of the country's current account deficit and domestic interest rates;

WHEREAS, the Consultative Conference on Socio-Economic Development on 26 September 1997 has reaffirmed the need for government to identify cost-reduction measures to meet the fiscal targets for the year and augment resources for priority economic and social projects.

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the power vested in me by the Constitution, do hereby order and direct:

SECTION 1. All government departments and agencies, including state universities and colleges, government-owned and controlled corporations and local government units shall implement austerity measures to reduce expenditures and enhance cost effectiveness and efficiency in government programs and projects. For this purpose, they shall identify and undertake measures that will reduce expenditures by at least five (5%) percent of authorized regular appropriations for non-personal services items.

SEC. 2. The measures may include the implementation of any or all of the following:

Continued implementation of the policy on personnel attrition;
Deferment of any of the following activities:

- a. Acquisition of motor vehicles;
- b. All foreign travels of government personnel, except those approved by the Office of the President and those associated with scholarships and trainings funded by sponsors other than the government;
- c. Attendance to conferences by private sector entities where the cost shall be charged to the government;
- d. Conduct of trainings / workshops / seminars except those conducted by government training institutions and agencies in the performance of their regular functions and those that are funded by foreign grants;
- e. Conduct of cultural and social celebrations except milestone anniversaries;
- f. Construction of new office buildings except those that have already been contracted; and

- g. Grant of honoraria except in cases where it constitutes the only source of compensation from government received by the person concerned.

2.3 Cost saving on the use of office supplies, electricity and other utilities, including communication and other regular operating expenses; and

2.4 Projects that are encountering problems and significant cost-overruns may be identified and deferred to succeeding years.

SEC. 3. Agencies are given the flexibility to identify sources of cost-savings, provided the 5% minimum savings under Section 1 is complied with.

SEC. 4. All agencies shall prepare their respective austerity programs and submit a report thereon to the Office of the president, through the Department of Budget and Management (DBM), on or before November 15, 1997.

SEC. 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of October, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 455

WHEREAS, pursuant to Section 132 (e) of Republic Act No. 7653, the Central Bank Board of Liquidators (CB-BOL) has the responsibility of administering, disposing of and liquidating all assets and liabilities of the Central Bank of the Philippines not transferred to or assumed by the *Bangko Sentral ng Pilipinas* (BSP);

WHEREAS, Executive Order No. 169, series of 1994, prescribed that the Board shall be composed of a chairman and two members;

WHEREAS, it is desirable that the composition of the Board shall be reconstituted and that the members thereof including the Chairman be increased to five;

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Executive Order No. 169, series of 1994, as follows:

SECTION 1. Section 3 of Executive Order No. 169, series of 1994, is hereby amended to read as follows:

“SEC. 3. *Composition of the Board.* The Board shall be composed of a Chairman and four (4) Members as follows:

- a. A representative of the Office of the President of the Philippines who shall act as Chairman of the Board;
- b. A representative of the Monetary Board to be designated by the Chairman, Monetary Board, from among the full-time Monetary Board members;
- c. A representative of the Department of Finance (DOF) to be designated by the Secretary of Finance from among the DOF undersecretaries;
- d. A representative of the Department of Budget and Management (DBM) to be designated by the Secretary of Budget and Management from among the DBM undersecretaries; and,
- e. The Executive Director of the Board to be nominated by the Board.”

“They shall be appointed by, and shall serve at the pleasure of the President.”

SECTION 2. Section 5 of the same Executive Order is hereby amended to read as follows:

“SEC. 5. *Meetings.* The Board shall convene as frequently as necessary to discharge its responsibilities but shall meet at least once every month.”

“The presence of three (3) Members shall constitute a quorum: Provided, That all decisions of the Board shall require the concurrence of at least three (3) Members.”

SECTION 3. Section 9 of the same Executive Order is hereby amended to read as follows:

“SEC. 9. Technical and Administrative Staff. The Board shall have a technical and administrative staff to be headed by an Executive Director who shall be appointed by the President of the Philippines upon the recommendation of the Chairman.”

“The BSP shall, upon request by the Board, detail or assign such number of its personnel which may be necessary for the Board to discharge its functions pursuant to Section 132 (e) of Republic Act No. 7653 and this Executive Order.”

“The Board may likewise engage the services of qualified professionals as consultants subject to existing laws, rules and regulations.”

SECTION 4. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 11th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). [*Executive Order Nos.: 441 - 488*]. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 456
AMENDING FURTHER EXECUTIVE ORDER NO. 167 DATED 25 MARCH 1994
AS AMENDED BY EXECUTIVE ORDER NO. 339 DATED 21 MAY 1997
CREATING THE IWAHIG PENAL COLONY INTER-AGENCY COMMITTEE

WHEREAS, Executive Order (E.O.) No. 167 was issued on March 1994 creating the Iwahig Penal Colony Inter-Agency Committee (IPC-IASC) to submit recommendations to the President within one (1) year from its creation, comprehensive study and development plan for the area covered by the Iwahig Penal Colony (IPC) to include its forest and lowland areas, inland waters and coastal area;

WHEREAS, on 21 May 1996 the timeframe of submission of said plan and study was extended until 30 June 1997 for the Committee to complete the Master Plan and Feasibility Study for the area covered by the IPC;

WHEREAS, the said plan and study have not yet been completed and there are still remaining issues which need to be addressed by the IPC-IASC;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Amendatory Clause. The Amendatory Clause of E.O. No. 339 (s. 1996) is further amended as follows:

“Submit to the Office of the President on or before 31 March 1998 the final Master Plan and Feasibility Study for the area covered by the IPC to include the timetable of implementation of different development projects identified in the Master Plan and the implementing agencies that will be involved.”

Section 2. Saving Clause. All provisions of E.O. No. 167 (s. 1994) and E.O. No. 339 (s. 1996) not inconsistent herewith shall remain in effect.

Section 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 11th day of November, in the Year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 457
AMENDING EXECUTIVE ORDERS NO. 63 AND NO. 64, S. OF 1993

WHEREAS, the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) were created by virtue of R.A. 7722 dated 18 May 1994 and R.A. 7796 dated 25 August 1994, respectively, to focus on post secondary education thereby allowing the Department of Education, Culture and Sports (DECS) to concentrate on basic (elementary and secondary) education;

WHEREAS, the CHED has been mandated to formulate policies and programs on tertiary education, and monitor the administration and the quality of tertiary educational institutions and programs nationwide;

WHEREAS, the TESDA has been mandated to formulate and rationalize policies and programs on technical/vocational education and training nationwide;

WHEREAS, post-secondary, vocational and tertiary education should incorporate a wholistic approach in the development of the human being, and include sports as a priority component of its mission;

WHEREAS, Executive Orders No. 63 and No. 64, both S. of 1993, were promulgated prior to the creation of the CHED and TESDA, to establish the National, Regional Provincial, City/Municipal and Barangay Physical Fitness and Sports Development Councils; and Adopt the National Policy and Program of “Sports for All”;

WHEREAS, in view thereof, there is a need to include the CHED and TESDA in the policy-making and implementing structures of government relative to sports development; and,

WHEREAS, the Philippine Olympic Committee is the primary institution responsible for the development of elite sports for international competitions.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Orders No. 63 and No. 64, both S. of 1993, as follows:

Section 1. Section of Executive Order No. 63, Series of 1993 is hereby amended to read as follows:

“Section 1. There is hereby constituted the National, Regional, Provincial, City/Municipal and Barangay Physical Fitness and Sports Development Councils; hereinafter referred to as the PFSDC which shall act as the nationwide organizational network to assist the Philippine Sports Commission in the planning, information dissemination, and actual implementation and monitoring of the National Policy and Program of “Sports for All” and shall be composed of the following:

The National PFSDC:

Secretary of DILG	Chairman
Secretary of DECS	Co-Chairman
Secretary of DND	Vice-Chairman
Secretary of DOLE	Co-Vice-Chairman
Chairman, CHED	Co-Vice-Chairman
President, POC	Co-Vice-Chairman
Chairman, Philippine Sports Commission	Secretary-General
Chairman, Senate Committee on Sports	Member
Chairman, House Committee on Sports	Member
President, League of Provincial Governors	Member
President, League of Municipalities	Member
President, League of Cities	Member
Presidential Adviser on Sports	Member
National President, SK Federation	Member
PNP Director-General	Member
Chairman, TESDA	Member
Six (6) representatives of the private sector, as appointed by the Chairman	Members

The REGIONAL PFSDC

DILG Regional Director	Chairman
DECS Regional Director	Co-Chairman
DND Representative	Vice-Chairman
PSC Regional Head	Secretary-General
CHED Regional Director	Member
TESDA Regional Head	Member
PNP Regional Director	Member
Provincial Governors	Member
President, SK Federation	Member
Three (3) representatives of the private sector, as appointed by the Chairman	Members

(c) The PROVINCIAL PFSDC

Provincial Governor	Chairman
Provincial Vice-Governor	Vice-Chairman
DECS Division Superintendent	Secretary-General
DILG PLGOO	Member
CHED Representative	Member
TESDA Representative	Member
DND Representative	Member
PNP Provincial Director	Member
City/Municipal Mayors League President	Member

President, SK Federation	Member
Two (2) representatives of the private sector as appointed by the Chairman	Members

(d) The CITY/MUNICIPAL PFSDC

City/Municipal Mayor	Chairman
PNP Representative	Vice-Chairman
DECS PFSS Division Supervisor	Secretary-General
DILG Representative (CLGO)	Member
CHED Representative	Member
TESDA Representative	Member
ABC President	Member
City/Municipal Mayors League President	Member
SK Federation City/Municipal Chairman	Member
Two (2) representatives of the private sector as appointed by the Chairman	Members

(e) The Barangay PFSDC

Barangay Chairman	Chairman
DECS School Principal	Vice-Chairman
SK Representative	Member
Kagawad Sports Coordinator	Member
Homeowners Assn. Representative	Member
Two (2) representatives of the private sector, as appointed by the Chairman”.	Members

Section 2. Section 2 of Executive Order No. 64, Series of 1993 is hereby amended to read as follows:

“Section 2. NATIONAL PROGRAM. The Philippine Sports Commission (PSC) based on this “National Policy of Sports for All” shall plan and implement national program for Philippine Sports through out the decade of Physical Fitness and Sports in coordination with all concerned public and private entities and shall assist, oversee and ensure that an integrated comprehensive program for the short, medium and long term plan of action and year-round calendar of activities for the multi-sectoral sports be implemented and sustained by the national, regional, provincial, city / municipal and barangay physical Fitness and Sports Development councils (PFSDC) as created under Executive Order No. 63 respecting their individuals set-up priorities, sources, organizational structures and level or competence.

- | | |
|---|--|
| 1. Physical Education and Basic (Elementary and Secondary) Education School Sports | Department of Education, Culture and Sports (DECS) |
| 2. Physical Education and Tertiary (University, Collegiate and Post- Secondary) Education School Sports | - Commission on Higher Education (CHED) |
-

3. Physical Education and Technical/Vocational School Sports	Technical Education and Skills Development Authority (TESDA)
4. Community-based sports	Department of the Interior and Local Government (DILG)
5. Military Sports	Department of National Defense (DND) and Philippine National Police (PNP)
6. Labor Sports	Department of Labor and Employment (DOLE)
7. Elite Sports for International Competitions	Philippine Olympic Committee (POC)/ National Sports Associations (NSAs)
8. Professional Sports	Games and Amusement Board (GAB)

In order to effectively monitor and sustain the implementation of the mass-based sports policy and program, the above mentioned government agencies and all other concerned government entities are hereby directed to submit a bi-annual report on the program and accomplishments of their respective sports programs to the Office of the President, represented by the Philippine Sports Commission.”

Sec. 3. All other provisions of Executive Orders No. 63 and No. 64, Series of 1993, which are not inconsistent herewith shall remain valid and effective.

Sec. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 13th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: Presidential Management Staff

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 458

AUTHORIZING THE GRANT OF SPECIAL ALLOWANCE FOR FISCAL YEAR 1997 FOR ALL OFFICIALS AND EMPLOYEES OF THE NATIONAL GOVERNMENT, GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS AND GOVERNMENT FINANCIAL INSTITUTIONS

WHEREAS, government officials and employees have contributed significantly to the attainment of the 1997 goals of the government;

WHEREAS, the government recognizes that these goals were achieved notwithstanding a leaner bureaucracy as a result of the streamlining efforts of the government where the remaining personnel are burdened with expanded duties and responsibilities;

WHEREAS, there is a need to reward the dedication of these personnel specifically at this time when their purchasing power has been weakened by the fluctuations of the Philippine currency and they are faced with expenses in connection with the celebration of Christmas;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, PD 985, PD 1597 and RA 6758, do hereby authorize:

SECTION 1. Grant of Special Allowance for Fiscal Year (FY) 1997. – The grant of Special Allowance for FY 1997 in the amount of P1,000.00 shall be paid to each government personnel in National Government Agencies (NGAs), Government-Owned and -Controlled Corporations (GOCCs) and Government Financial Institutions (GFIs), who has rendered at least four (4) months of service as of the payment of this benefit and who is still in the service as of October 31, 1997.

SEC. 2. Funding Source. - The funding sources for the amounts necessary to implement this Order shall be as follows:

- a. For NGAs - the amount shall be charged against agency savings / reserves.
- b. For GOCCs and GFIs - the amount shall be charged against their respective corporate funds.

SEC. 3. Local Government Units. (LGUs). - LGUs which are financially capable of granting the benefit authorized herein may do so, subject to the approval of the Department of Budget and Management (DBM) through its Regional Offices. For this purposes, DBM is hereby authorized to approve requests of LGUs to grant the said benefit. This benefit, however, shall be within the 45 / 55% Personal Services limitation.

SEC. 4. Partial Implementation. - GOCCs, GFIs and LGUs which do not have adequate or sufficient funds to pay the benefit authorized herein shall only partially implement this order: Provided, that any partial implementation shall be uniform for all positions in each of these entities.

SEC. 5. Limitation on the Grant. - Any government agency which granted year-end benefits in whatever form which are over and beyond those authorized under RA 6686, that is equivalent to one (1) month basic salary plus P 1,000.00 cash gift, can no longer grant this benefit.

SEC. 6. Implementing Rules. - The Department of Budget and Management shall issue the necessary rules to implement this Order.

SEC. 7. Effectivity. - Payment of the benefit authorized herein shall not be earlier than November 30, 1997.

DONE in the City of Manila, this 17th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 459
PROVIDING FOR THE GUIDELINES IN THE NEGOTIATION
OF INTERNATIONAL AGREEMENTS AND ITS RATIFICATION

WHEREAS, the negotiations of international agreements are made in pursuance of the foreign policy of the country;

WHEREAS, Executive Order No. 292, otherwise known as the Administrative Code of 1987, provides that the Department of Foreign Affairs shall be the lead agency that shall advise and assist the President in planning, organizing, directing, coordinating and evaluating the total national effort in the field of foreign relations;

WHEREAS, Executive Order No. 292 further provides that the Department of Foreign Affairs shall negotiate treaties and other agreements pursuant to the instructions of the President, and in coordination with other government agencies;

WHEREAS, there is a need to establish guidelines to govern the negotiation and ratification of international agreements by the different agencies of the government;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. *Declaration of Policy.* - It is hereby declared the policy of the State that the negotiations of all treaties and executive agreements, or any amendment thereto, shall be coordinated with, and made only with the participation of, the Department of Foreign Affairs in accordance with Executive Order No. 292. It is also declared the policy of the State that the composition of any Philippine negotiation panel and the designation of the chairman thereof shall be made in coordination with the Department of Foreign Affairs.

SEC. 2. *Definition of Terms.*

- a. ***International agreement*** shall refer to a contract or understanding, regardless of nomenclature, entered into between the Philippines and another government in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments.
- b. ***Treaties*** - international agreements entered into by the Philippines which require legislative concurrence after executive ratification. This term may include compacts like conventions, declarations, covenants and acts.
- c. ***Executive Agreements*** - similar to treaties except that they do not require legislative concurrence.
- d. ***Full Powers*** - authority granted by a Head of State or Government to a delegation head enabling the latter to bind his country to the commitments made in the negotiations to be pursued.

- e. *National Interest* - advantage or enhanced prestige or benefit to the country as defined by its political and / or administrative leadership.
- f. *Provisional Effect* - recognition by one or both sides of the negotiation process that an agreement be considered in force pending compliance with domestic requirements for the effectivity of the agreement.

SEC. 3. *Authority to Negotiate.* - Prior to any international meeting or negotiation of a treaty or executive agreement, authorization must be secured by the lead agency from the President through the Secretary of Foreign Affairs. The request for authorization shall be in writing, proposing the composition of the Philippine delegation and recommending the range of positions to be taken by that delegation. In case of negotiations of agreements, changes of national policy or those involving international arrangements of a permanent character entered into in the name of the Government of the Republic of the Philippines, the authorization shall be in the form of Full Powers and formal instructions. In cases of other agreements, a written authorization from the President shall be sufficient.

SEC. 4. *Full Powers.* - The issuance of Full Powers shall be made by the President of the Philippines who may delegate this function to the Secretary of Foreign Affairs.

The following persons, however, shall not require Full Powers prior to negotiating or signing a treaty or an executive agreement, or any amendment thereto, by virtue of the nature of their functions:

- a. Secretary of Foreign Affairs;
- b. Heads of Philippine diplomatic missions, for the purpose of adopting the text of a treaty or an agreement between the Philippines and the State to which they are accredited;
- c. Representatives accredited by the Philippines to an international conference or to an international organization or one of its organs, for the purpose of adopting the text of a treaty in that conference, organization or organ.

SEC. 5. *Negotiations.* -

- a. In cases involving negotiations of agreements, the composition of the Philippine panel or delegation shall be determined by the President upon the recommendation of the Secretary of Foreign Affairs and the lead agency if it is not the Department of Foreign Affairs.
- b. The lead agency in the negotiation of a treaty or an executive agreement, or any amendment thereto, shall convene a meeting of the panel members prior to the commencement of any negotiations for the purpose of establishing the parameters of the negotiating position of the panel. No deviation from the agreed parameters shall be made without prior consultations with the members of the negotiating panel.

SEC. 6. *Entry into Force and Provisional Application of Treaties and Executive Agreements.* -

- a. A treaty or an executive agreement enters into force upon compliance with the domestic requirements stated in this Order.
- b. No treaty or executive agreement shall be given provisional effect unless it is shown that a pressing national interest will be upheld thereby. The Department of Foreign Affairs, in consultation with the concerned agencies, shall determine whether a treaty or an executive agreement, or any amendment thereto, shall be given provisional effect.

SEC. 7. *Domestic Requirements for the Entry into Force of a Treaty or an Executive Agreement.* -

The domestic requirements for the entry into force of a treaty or an executive agreement, or any amendment thereto, shall be as follows:

A. *Executive Agreements.*

- i. All executive agreements shall be transmitted to the Department of Foreign Affairs after their signing for the preparation of the ratification papers. The transmittal shall include the highlights of the agreements and the benefits which will accrue to the Philippines arising from them.
- ii. The Department of Foreign Affairs, pursuant to the endorsement by the concerned agency, shall transmit the agreements to the President of the Philippines for his ratification. The original signed instrument of ratification shall then be returned to the Department of Foreign Affairs for appropriate action.

B. *Treaties.*

- i. All treaties, regardless of their designation, shall comply with the requirements provided in sub-paragraph 1 and 2, item A (Executive Agreements) of this Section. In addition, the Department of Foreign Affairs shall submit the treaties to the Senate of the Philippines for concurrence in the ratification by the President. A certified true copy of the treaties, in such numbers as may be required by the Senate, together with a certified true copy of the ratification instrument, shall accompany the submission of the treaties to the Senate.
- ii. Upon receipt of the concurrence by the Senate, the Department of Foreign Affairs shall comply with the provision of the treaties in effecting their entry into force.

SEC. 8. *Notice to Concerned Agencies.* - The Department of Foreign Affairs shall inform the concerned agencies of the entry into force of the agreement.

SEC. 9. *Determination of the Nature of the Agreement.* - The Department of Foreign Affairs shall determine whether an agreement is an executive agreement or a treaty.

SEC. 10. *Separability Clause.* - If, for any reason, any part or provision of this Order shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 11. *Repealing Clause.* - All executive orders, proclamations, memorandum orders or memorandum circulars inconsistent herewith are hereby repealed or modified accordingly.

SEC. 12. *Effectivity.* - This Executive Order shall take effect immediately upon its approval.

DONE in the City of Manila, this 25th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 460
REACTIVATING THE JURISDICTION AND AUTHORITY OF THE
SPECIAL COMMITTEE ON NATURALIZATION TO CONSIDER AND EVALUATE
PETITIONS FOR NATURALIZATION OF DESERVING ALIENS AND TO RECOMMEND
ACTION THEREON TO THE PRESIDENT OF THE PHILIPPINES.

WHEREAS, Letter of Instructions No. 270, as amended by Letter of Instructions Nos. 278, 283, 292, and 491 and by Presidential Decrees Nos. 836 and 1379, the Special Committee on Naturalization was granted jurisdiction and authority to receive, consider, and recommend actions on petitions for naturalization of deserving aliens;

WHEREAS, the Memorandum of March 27, 1987 issued by then President Corazon C. Aquino directed the Chairman and Members of the Special Committee on Naturalization “to cease and desist from undertaking any and all proceedings within your functional area of responsibility”;

WHEREAS, to date, there are, more or less, 9,000 petitions for naturalization pending with the Special Committee on Naturalization;

WHEREAS, there is a growing clamor among resident-alien who desire to become Filipinos to acquire Philippine citizenship through administrative proceedings, without going through the tedious and more expensive judicial process; and

WHEREAS, it becomes necessary to reactivate the Special Committee on Naturalization in order to address the need to consider and process petitions for naturalization by the speedier and more practical method of administrative proceedings;

NOW, THEREFORE, I, FIDEL VALDEZ RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and ordain:

Section 1. The Special Committee on Naturalization is hereby reactivated with jurisdiction and authority to receive, consider, and evaluate petitions for naturalization of deserving aliens and, thereafter, to submit recommendation thereon to the President of the Philippines for its approval or denial, as provided for in Letter of Instructions No. 270, as amended by Letters of Instructions Nos. 278, 283, 292 and 491 as well as in Presidential Decrees Nos. 836 and 1379.

Section 2. The Solicitor General, as Chairman of the Special Committee on Naturalization, is hereby authorized to fix the amount of fees for the application form, the docketing thereof, the oath-taking, and such other fees necessary for the processing of said application/petition.

Section 3. The Solicitor General, as Chairman of the Special Committee on Naturalization, shall likewise have the authority to fix the honoraria, allowances, and other incidental expenses of the Chairman, Members, and Secretary of the Committee as well as of its staff members, which are necessary and appurtenant to the functions and duties of the Special Committee on Naturalization.

Section 4. All laws, decrees, executive orders, administrative orders, proclamations, rules and regulations, or part thereof that are in conflict with this Executive Order are hereby repealed or modified accordingly.

Section 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of December, in the Year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Presidential Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 461

PROVIDING FOR THE TARIFF NOMENCLATURE AND IMPLEMENTING THE RATES OF IMPORT DUTIES ON CERTAIN IMPORTED ARTICLES UNDER SECTION 401 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE 1464), AS AMENDED

WHEREAS, pursuant to Republic Act No. 8180 entitled “An Act Deregulating the Downstream Oil Industry and for Other Purposes”, Executive Order No. 365 was issued providing for tariff duties of three percent (3%) and seven percent (7%) on imported crude oil and refined petroleum products, respectively, except fuel oil and LPG, the rate of which is the same as that for imported crude oil;

WHEREAS, the Supreme Court has declared, with finality, Republic Act No. 8180 as unconstitutional;

WHEREAS, Sections 104 and 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order;

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be levied the rates of import duty in accordance with the schedule indicated opposite each article as listed in the aforementioned Annex.

SEC. 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “xxx” remain in force and effect.

SEC. 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty therein prescribed.

SEC. 4. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately following publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 31st day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Annex "A"

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 462
ENABLING PRIVATE SECTOR PARTICIPATION IN THE EXPLORATION, DEVELOPMENT,
UTILIZATION AND COMMERCIALIZATION OF OCEAN, SOLAR AND WIND ENERGY
RESOURCES FOR POWER GENERATION AND OTHER ENERGY USES

WHEREAS, Section 2 of Article 12 of the Constitution provides that “all lands of the public domain, waters, minerals, coal, petroleum and other mineral oils, all forces of potential energy, fisheries, forest or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development and utilization of natural resources shall under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture or production-sharing agreements with Filipino citizens or corporations or associations at least sixty per centum of whose capital is owned by such citizens”;

WHEREAS, Presidential Decree No. 1068 issued on January 12, 1977 directed the “acceleration of research, development and utilization of nonconventional energy resources” and Republic Act 7638 of December 9, 1992 mandated the Department of Energy (DOE) to “formulate and implement a program for the accelerated development of nonconventional energy systems and the promotion and commercialization of its application”;

WHEREAS, ocean, solar and wind (OSW) energy resources are forces of potential energy which are nonconventional, indigenous, renewable, environment-friendly and of such abundance that could provide the Philippines self-sufficiency in energy and possibly surpluses for export in the future despite high energy demand due to rapid economic growth;

WHEREAS, it is in the national interest to accelerate the development and utilization of OSW energy resources by enabling private sector participation.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Exploration, Development and Utilization of OSW Energy Resources. - Subject to existing rights, the government, through the DOE, shall engage in the assessment, exploration, extraction, harnessing, development and utilization of ocean, solar and wind (OSW) energy resources, preferably with the participation of the private sector under a production-sharing contract awarded by the Secretary of the DOE, after due consultation with the host community/ies and local government unit/s concerned, through public bidding or negotiation. The production-sharing contractor must be technically and financially capable of undertaking the operations required in the contract.

SEC. 2. Scope of Production-sharing Contracts. - Production-sharing contracts, as herein authorized, shall be limited to lands of the public domain and offshore waters within the Philippine territory, contiguous zone and exclusive economic zone. All lands or offshore waters covered by contracts granted under this Order shall be subject to public easements established or recognized by existing laws.

SEC. 3. OSW Energy Projects in Private Domain. - Energy generation of more than one (1) megawatt from OSW resources in private lands as well as in privately-held offshore areas shall be regulated by the DOE through the existing accreditation system for power plants. Generation projects of one (1) megawatt or less shall be regulated by the local government unit/s concerned in accordance with pertinent local energy plan/s, coordinated with the national energy plan and approved by the DOE.

SEC. 4. Exclusive Privilege. - A production-sharing contract under this Order shall bestow exclusive privilege to the contractor for the exploration, development and utilization of the OSW energy resources in the contract area during the term of the contract. Such privilege shall be transferable to another qualified person only upon approval of the Secretary of the DOE.

SEC. 5. Resource-use Conflicts. - In case other natural resources are present in the contract area, the multiple-use concept shall be applied insofar as practicable subject to RA 7586 otherwise known as National Integrated Protected Areas System law (NIPAS). If a natural resource-use conflict is not resolved by multiple use, the first-come-first-serve principle shall prevail.

SEC. 6. OSW Energy Resources in Government Reservations. - OSW energy resources in government reservations, except in areas that have been established and specifically delineated as protected areas under the procedures prescribed by the NIPAS law, shall be availed of only through the production-sharing contract system under this Order.

SEC. 7. Qualification of Contractor. A contractor under this Order shall be a qualified natural or juridical person seeking to explore, develop, utilize and harness OSW energy resources in the Philippines for purposes of producing power and/or types of energy. Details of financial, technical and other qualification of a contractor shall be specified by the Secretary of the DOE in the implementing rules and regulations of this Order.

SEC. 8. Production-sharing Contract Components. A production-sharing contract under this Order shall include a "Pre-Commercial Contract" and a "Pre-Negotiated Commercial Contract". The Pre-Commercial Contract shall involve exploration, resource assessment, piloting, feasibility studies, environment impact studies and all other studies prior to commercial production. The Pre-Negotiated Commercial Contract shall provide in terms and conditions for the commercial phase of the project which shall be negotiated at the same time as the Pre-Commercial Contract.

SEC. 9. Declaration of Commerciality. Upon determination of the commercial feasibility of the project within or at the end of the "Pre-commercial Contract", the contractor shall submit to the Secretary of the DOE a written declaration that the project is commercially feasible. The Secretary, upon review of the facts supporting such declaration and after due public consultation with the host community and local government unit/s concerned, shall issue a "Letter of Confirmation" which shall automatically bring into force the "Pre-Negotiated Commercial Contract".

SEC. 10. Contract Area. For purposes of the delineation of OSW energy contract areas under this Order, the Philippine territory, its contiguous zone and its exclusive economic zone shall be divided into meridional blocks of one-half (1/2) minute of latitude and one-half (1/2) minute of longitude, each with an area of about eighty-one (81) hectares. The minimum size of a contract area for ocean, solar or wind or any combination thereof shall be one meridional block (about 81 hectares) whether on land or offshore. The maximum area that can be awarded to a qualified person shall be 100 blocks (about 8,100 hectares) for wind or solar or their combination and 1,000 blocks (about 81,000 hectares) for ocean or a combination of ocean and wind and/or solar, all over the Philippines.

SEC. 11. Occupation Fee. For contract areas on land, an occupation fee of fifty pesos (P50.00) per hectare, or a fraction thereof, shall be paid by the Contractor immediately upon award of the contract and yearly thereafter at the date of award. Such payment shall be made to the treasurer

of the Municipality or City where the contract area is located. For contract areas offshore, the occupation fee of fifty pesos (P50.00) per hectare per year shall be paid by the contractor to the Treasurer of the Municipality or City that has jurisdiction over the offshore area immediately upon issuance of the “Letter of Confirmation” as prescribed in Section 9 of this order. For offshore areas beyond the territorial jurisdiction of any Municipality or City, as defined in the Local Government Code, the occupation fee of fifty pesos (P50.00) per hectare per year shall be paid by the contractor to the DOE immediately upon issuance of said “Letter of Confirmation”.

This fee shall be allocated to the local government units in accordance with Section 292 of R.A. 7160, otherwise known as the Local Government Code of 1991. The Secretary of the DOE is authorized to increase the fee when public interest so requires.

SEC. 12. Relinquishment. During the pre-commercial phase of the contract, at least fifty percent (50%) of the Contract Area held shall be relinquished at the end of every two years subject to the approval of the Secretary of the DOE. The relinquished area shall be of a regular shape consisting of contiguous meridional blocks. The contractor shall specify the final area that will be retained for the commercial phase of the project in the “declaration of commerciality”.

SEC. 13. Duration of Contract. The Pre-Commercial Contract shall have a maximum period of five (5) years of solar and/or wind and seven (7) years for ocean or in combination with solar and/or wind. The Commercial Contract, involving any of the energy resource or their combination, shall have a maximum duration of twenty-five (25) years, renewable once for the same number of years.

SEC. 14. Government Share. Considering the prospectivity of generating profit from the operation of the contract, a government share (GS) shall be determined through bidding or negotiation between the DOE and the contractor. The GS shall include a signature bonus and production bonus. The signature bonus shall be given to DOE at the date of signing of the Pre-Negotiated Commercial Contract upon the issuance of a “Letter of Confirmation” of the commercial feasibility of the project by the Secretary of the DOE. The production bonus shall be paid to the DOE at the end of each calendar year during the commercial phase of the project. To protect the welfare of electricity consumers, the GS shall be limited to values that shall not result in electricity prices higher than the contracted selling rates to electric utility in the area where the project is located.

SEC. 15. Allocation of Government Share. The Government Share as referred to in the preceding section shall be allocated in accordance with Section 290 and 292 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

SEC. 16. Incentives for Production-sharing Contractor. The contractor shall be granted incentives and privileges that are allowed in existing laws; and the government will further assist, if necessary, pioneering projects in OSW energy development and commercialization to make them viable.

SEC. 17. Termination and Abandonment. Termination and abandonment procedures, primarily for the purpose of environmental rehabilitation, shall be spelled out in the production-sharing contract. Commencing from the year of commercial production, the contractor shall open a “trust account” jointly in the name of contractor, the DOE and the concerned municipality/ies or city/ies wherein an amount equivalent to at least one centavo (P0.01) per kwh of electricity sold shall be deposited in a commercial bank on a quarterly basis to cover the cost of environmental assurance and rehabilitation during termination and abandonment. This amount shall be determined by the Secretary of DOE in consultation with the concerned host community/ies and local government unit/s based on environmental assurance requirement per project.

SEC. 18. Environmental Impact Assessment. The work program for the pre-commercial phase of a production-sharing contract shall include environmental impact assessment in accordance with P.D. 1586, otherwise known as the “Philippine Environmental Impact Statement (EIS) System”,

and its implementing rules and regulations. The Environmental Compliance Certificate arising from such environmental impact assessment shall be a supporting document to the “Declaration of Commerciality”.

SEC. 19. Implementing Unit. In accordance with Section 8(d) of RA 7638, the Secretary of DOE shall create a service unit that will provide necessary ancillary services for the implementation of this Order. Funds for the operations of this unit shall be defrayed from the appropriate funds of the Office of the President in 1997 and 1998. Thereafter, the required funds for the operations of this unit may be included in the budget of the DOE in the General Appropriations Act.

SEC. 20. Implementing Rules and Regulations. The Department of Energy, in coordination with concerned government agencies shall formulate and issue the necessary implementing rules and regulations within sixty (60) days after the effectivity of this Order.

SEC. 21. Effectivity. This Executive Order shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

DONE in the City of Manila, this 29th day of Dec., in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 463
CREATING THE MANAGEMENT INFORMATION SYSTEM AND TECHNOLOGY GROUP IN
LINE WITH THE COMPUTERIZATION PROGRAM OF THE BUREAU OF CUSTOMS

WHEREAS, to achieve modernization and global competitiveness, and as an important catalyst for change, the Bureau of Customs has adopted the World Bank-sponsored computerization and information technology program;

WHEREAS, in the implementation of the said computerization program, the services of foreign consultants have been engaged by the Bureau of Customs and their service contract will expire in the first quarter of 1998;

WHEREAS, there is a need to continue computerization and information technology program initiated by the said foreign consultants;

WHEREAS, the computerization program will facilitate productivity and increase efficiency of transactions and services, automate processes and reduce human intervention, thus maximizing revenue and facilitating trade;

WHEREAS, an in-depth study made jointly by the Development Academy of the Philippines (DAP), National Computer Center (NCC), United Nations Conference on Trade and Development (UNCTAD), and the World Bank found the urgency to create a centralized and integrated office that will handle the computerization program of the Bureau of Customs to ensure proper implementation and continuous progress of the said program;

WHEREAS, Section 2 par. 2(f) of Presidential Decree No. 1772, amending PD 1416, expressly grants the President the continuing authority to reorganize the National Government, including the power to group and consolidate bureaus and agencies, abolish offices, transfer functions, create and classify functions, services and activities and standardize salaries and materials; and

WHEREAS, under Section 76 of the General Provisions of Republic Act No. 8250 (FY 1997 General Appropriations Act), the President may direct changes in the organization and key positions in any department, bureau or agency.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. CREATION. A new office in the Bureau of Customs is hereby created and shall be known as the Management Information Systems and Technology Group (herein after referred to as MISTG for brevity).

SEC. 2. COMPOSITION. The MISTG shall be headed by a Deputy Commissioner to be appointed by the President of the Philippines upon the recommendation of the Commissioner of Customs. The Deputy Commissioner shall exercise overall supervision in the management of the different operating units of the MISTG.

The MISTG shall have the following offices/units:

- I. Planning and Systems Development Services which shall be headed and supervised by Service Chief/ Director III who shall exercise supervision over the following:
 - a. Planning and Management Information Division; and
 - b. Systems Development Division
- II. Technology Management Service which shall be headed and supervised by Service Chief/ Director III who shall exercise supervision over the following:
 - a. Systems Management Division;
 - b. Technical Support Division;
 - c. POM Database Management;
 - d. MICP Database Management;
 - e. CEBU Database Management; and
 - f. NAIA Database Management

The technical and support staff of MISTG shall primarily be drawn from the existing personnel of the Bureau who possess the capabilities and qualifications required by the positions to be filled up subject to existing civil service laws and regulations.

SEC. 3. FUNCTIONS. The MISTG shall upgrade the present information technology group where it will have a more strategic position within the Bureau of Customs organizational setup and provide a functional structure which will encompass the functions which are seen as vital in the attainment of the vision of a modernized trade facilitating and globally competitive Bureau of Customs.

SEC. 4. APPROPRIATIONS. Funds for the necessary expenses for the initial operations of the MISTG shall come from the available funds of the Bureau of Customs and subsequent appropriations shall be incorporated into the budget proposals, subject to existing accounting and auditing laws and procedures.

SEC. 5. IMPLEMENTING AUTHORITY. With the approval of the Secretary of Finance, the Commissioner is hereby authorized to determine the number of personnel consistent with the requirements of the MISTG and the principles of economy, efficiency and effectiveness. The Commissioner is likewise authorized to organize such units under the Services and Offices allowed under this Executive Order, subject to Department of Budget and Management evaluation.

SEC. 6. TRANSITORY PROVISION. This Executive Order shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or a newspaper of general circulation.

Done in the City of Manila, this 9th day of January, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 464
GOVERNING THE ADMISSION AND STAY OF FOREIGN NATIONALS IN THE
CLARK SPECIAL ECONOMIC ZONE AS TEMPORARY VISITORS

WHEREAS, it is declared national policy to attract and promote foreign trade, investment and tourism in the country especially in the special economic zones such as the Clark Special Economic Zone (“EcoZone”) to promote economic growth and national development;

WHEREAS, it is expected that visits to the Clark EcoZone by foreign nationals for business, tourism and recreation purposes will increase significantly due to the development and the growing attraction of the Clark EcoZone as an investment, tourism, recreational and industrial destination;

WHEREAS, the Clark International Airport has likewise attracted interest from international airlines as a destination point for chartered and commercial flights which will contribute immensely to the development of the Clark EcoZone, the Central Luzon Region, the entire Philippines and ultimately the entire Asian Region;

WHEREAS, it is crucial to allow uncomplicated access to the Secured Area of the Clark EcoZone as defined in relevant issuances for foreign nationals in order to realize the above-declared national policy.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Foreign nationals, not categorized as “restricted” as determined by the DFA, visiting the Clark EcoZone for business and/or tourism purposes may be allowed to enter all ports of entry of the Clark ECOZONE and stay therein without visa for a maximum period of fourteen (14) days; *provided* that upon arrival, they present their passports, Certificates of Identity or travel documents valid for at least six (6) months beyond the intended stay in the Clark EcoZone and confirmed onward flight tickets. The determination of the identity and admissibility of the foreign national seeking to enter the Clark EcoZone under this Executive Order shall be the primary responsibility of the Bureau of Immigration (BI).

SECTION 2. Foreign nationals who enter the Clark EcoZone under this Executive Order shall be subject to the following restrictions:

- a. they shall leave or depart from the Philippines only through the Clark International Airport except as hereinafter provided;
- b. they shall not be allowed outside the Secured Area of the Clark EcoZone, except to visit areas outside the Secured Area but within the Clark EcoZone, *provided* that they are escorted by BI officers and/or Clark Development Corporation (CDC) officers duly deputized by the BI;
- c. those who intend to visit areas outside the Clark EcoZone at any given time and/or extend their stay in the Clark EcoZone for any reason beyond the 14 day period must secure a visa waiver

from the Department of Foreign Affairs (DFA); *provided*, that upon securing such visa waiver, the restrictions as provided herein shall no longer be applicable.

SECTION 3. The head of the CDC may, in case of extreme emergencies or under exceptional circumstances, allow foreign nationals who enter the Clark EcoZone under this Executive Order to visit areas outside the Clark EcoZone under special permit or escort, subject to confirmation of visa waiver by the DFA.

SECTION 4. The DFA, BI and CDC shall jointly implement this Executive Order by issuing appropriate guidelines and circulars. They are hereby authorized to collect reasonable fees for processing of non-visa entry and application for visa waivers.

SECTION 5. Any foreign national who violates the provisions of this Executive Order or its implementing guidelines and circulars shall be subject to appropriate sanctions under existing Philippine immigration laws.

SECTION 6. The privileges accorded hereunder shall not in any way impair more favorable no-visa privileges accorded to foreign nationals under any existing executive order, letter of instruction, administrative order or issuance.

SECTION 7. All previous executive orders, letters of instruction, administrative orders and/or similar issuances inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 8. Special Clark Investors/Working Visas issued by the CDC in coordination with the BI shall be deemed regular visas for entry and exit in the Philippine ports of entry.

SECTION 9. This Executive Order shall take effect immediately after publication in a newspaper of general circulation.

Done in the City of Manila, this 26th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Acting Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 465

**MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON CERTAIN
IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF
1978 (PRESIDENTIAL DECREE NO. 1464 AS AMENDED)**

WHEREAS, the government has continued to implement a tariff rationalization program aimed at promoting global competitiveness, simplifying the tariff structure for ease of customs administration and providing for a level playing field for domestic manufacturers;

WHEREAS, during the Competitiveness Caucus held on 4 July 1997, in consideration of recent developments in the domestic and international economic environments, it was agreed that a review of the phased tariff reduction which has been determined up to the year 2000 be undertaken;

WHEREAS, said review pointed to the need to correct the remaining distortions in the tariff structure and to smoothen the pace of the schedule of tariff reduction to deserving industries;

WHEREAS, the recalibration of the tariff reduction program shall not serve to delay or obviate the attainment of a uniform level of tariff protection by the year 2004;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in “Annex A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article as listed in the aforementioned “Annex”.

SECTION 2. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid “Annex” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SECTION 3. The provisions of Executive Order No. 264 (s. 1995) and all other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 13th day of Jan., in the year of Our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 440 - 488]*. Manila: Malacañang Records Office.

Published in The Manila Times and Malaya on January 21, 1998.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 466

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 466 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 467
PROVIDING FOR A NATIONAL POLICY ON THE OPERATION AND USE OF
INTERNATIONAL SATELLITE COMMUNICATIONS IN THE COUNTRY

WHEREAS, the State, recognizing the vital role of communications in nation building, is committed to promote the establishment of communications structures responsive to information technology of the country;

WHEREAS, the provision of modern, efficient, and adequate satellite telecommunications facilities and services will promote the pole vaulting strategy of the government to launch the country as a telecommunications hub in the Asia-Pacific region by the 21st century;

WHEREAS, there is a need to broaden the access by authorized entities to international satellite systems and services and thereby, accelerate the attainment of the development thrusts for the local telecommunications sector;

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption as a national policy, of the following policy guidance in the operation and use of satellite communications in the country.

Section 1. Policy Guidance. The following guidance and regulations shall govern the operation and use of the following satellite telecommunications facilities and services in the country:

- a. ***Access to International Fixed Satellite Systems.*** Enfranchised telecommunications entities duly authorized by the National Telecommunications Commission (NTC) to provide international telecommunications services shall be allowed direct access to all international fixed satellite systems. Broadcast service providers may also be allowed to directly access international fixed satellite systems subject to NTC rules, regulations and authorizations.
- b. ***Access to International Mobile Satellite Systems.*** Direct access to international mobile satellite services shall be allowed for maritime, aeronautical and land mobile uses, subject to NTC rules and regulations. For this purpose, the DOTC/NTC shall recognize the authorization and/or certification of foreign-registered mobile units designed to access international mobile satellite systems, provided they are consistent with said NTC rules and regulations.
- c. ***Use of Satellite Newsgathering (SNG) Earth Stations.*** The government shall take a permissive approach on the use and operation of SNG earth stations owned or operated by foreign news media organizations, for a limited period of time as defined by NTC. Foreign news media organizations wanting to bring SNG earth stations into the country shall secure a special NTC permit.
- d. ***Operation and Use of Global Mobile Personal Communication by Satellite (GMPCS).*** The government shall allow the operation and use of GMPCS to contribute to the attainment of universal access, subject to NTC rules and regulations. In this connection, GMPCS systems shall be required to interconnect with existing terrestrial systems in a non-discriminatory manner in accordance with the provisions of Executive Order No. 59 (Guidelines for Compulsory Interconnection of Authorized Public Telecommunications Carriers) and its Implementing Guidelines.

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- e. ***Provision of Direct to Home TV Services.*** The government shall allow the reception of Direct to Home TV signals from content providers utilizing international satellite systems, provided the video programs thereto are authorized by appropriate government agency(ies). Equipment for the reception of Direct to Home TV signals shall be provided by duly authorized entities. Moreover, uplink centers for transmission or retransmission of video programs shall be encouraged to be set up in the Philippines, subject to existing laws and procedures formulated by the NTC.

Section 2. Policy Implementation. The NTC, in coordination with the concerned agencies and sectors, shall formulate and adopt, not later than forty-five days from the effectivity of this Order, the necessary implementing rules and regulations for the implementation of the above policy guidance, including the monitoring system for their implementation.

Section 3. Definition of Terms. For the purpose of this Order and in the implementation of the above policy guidance, the following definitions shall apply:

- a. ***Direct Access*** - any one of a number of measures permitting direct dealings between authorized entities and international satellite system providers at specified levels as defined by the NTC.
- b. ***Direct to Home (DTH) TV*** - a broadcasting system wherein television programs are transmitted directly to home/user receivers via satellite, thus making the reception cover not only individual(s) in their homes but other places as well.
- c. ***Fixed Satellite Service*** - a radiocommunication service between earth stations at given points, when one or more satellites are used; the given position may be specified point or any fixed points within specified areas.
- d. ***Global Mobile Personal Communications by Satellite*** - a satellite system providing telecommunications services directly to end-users anywhere in the globe from a constellation of satellites.
- e. ***Mobile Satellite Service*** - a radio communications service between mobile earth stations and one or more space stations, or between space stations used by this service, or between mobile earth stations by means of one or more space stations.
- f. ***Satellite Newsgathering*** - the use of either transportable “Fixed Satellite Service” earth stations or “Mobile Satellite Service” earth stations to provide temporary communications services for news media organizations covering news events such as summits, conferences or disasters.

Section 4. Policy Review. The DOTC, in consultation with the concerned agencies and sectors, shall regularly review the responsiveness of the above policy guidance and based on this, submit policy recommendations to the Office of the President.

Section 5. Repealing Clause. All Executive Orders, Administrative Orders and other Executive issuances inconsistent herewith are hereby repealed, modified or amended accordingly.

Section 6. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 17th day of March, in the Year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 468
PROVIDING FOR THE CREATION OF A NATIONAL COUNCIL
FOR THE PROMOTION OF ELECTRONIC COMMERCE IN THE COUNTRY

WHEREAS, electronic commerce, which shall revolutionize trade in both goods and services, shall be a universal phenomenon due to the emerging Global Information Infrastructure;

WHEREAS, the State recognizes that there is a need to be abreast with international developments on electronic commerce to further enhance the competitiveness of local industries;

WHEREAS, there is a great potential for the country to participate in the worldwide electronic commerce, through the Internet and collaboration between the private and government sectors;

WHEREAS, there is a need for a coordinating body to enhance government and private sector partnership in the promotion and development of electronic commerce in the country;

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Philippines, by virtue of the power vested in me by law, do hereby order:

Section 1. *Electronic Commerce Promotion Council.* There is hereby created a National Council to serve as the a coordinating body for the promotion of the development of electronic commerce in the country, herein referred to as the Council.

Section 2. *Composition.* The Council shall be composed of the following:

Department of Trade and Industry	Chairman
Private Sector Representative	Co-Chairman
Department of Transportation and Communication	Member
Department of Science and Technology	Member
National Economic and Development Authority	Member
Four (4) Private Sector Representatives	Member

The Council Chairman shall designate the Private Sector Representatives, including the Co-Chairman, for a term of not more than two (2) years.

Section 3. *Functions.* The Council shall have the following duties and functions

- Formulate, in coordination with the concerned agencies and private sector, a National Program and Strategy (NPS) for the Promotion of Electronic Commerce in the Country. The NPS for Electronic Commerce shall be made consistent with the National Information Technology Plan for the 21st Century;
- Coordinate and monitor the implementation of the above NPS;
- Recommend policies and programs which may further enhance the development of electronic commerce in the country;
- Provide fora and mechanisms in addressing issues and concerns affecting the electronic commerce industry;
- Perform such other functions as may be assigned by the President.

Section 4. Secretariat. The Chairman shall establish a Secretariat to provide technical and administrative support to the Council. It shall be composed of representatives from the private and government sectors and shall be based at the DTI. Whenever necessary, the Council may also create appropriate Committees to assist in the discharge of the Council's functions.

Section 5. Meetings. The Council shall meet at least once a month to discuss matters pertinent to the development of electronic commerce in the country.

Section 6. Funding. DTI shall provide from its 1998 budget a total amount of P5 million for the operational budget of the Council during its initial year. Budgetary requirements for the succeeding years shall be sourced from the contributions of the private sector and concerned agencies as may be agreed upon by the Council.

Section 7. Repeal Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 469

AMENDING EXECUTIVE ORDER NO. 190 DATED 19 JULY 1994 APPROVING AND
ADOPTING THE NATIONAL INFORMATION TECHNOLOGY PLAN 2000 AND
ESTABLISHING THE NATIONAL INFORMATION TECHNOLOGY COUNCIL

I, **FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Order No. 190 dated 19 July 1994, and order the following:

Section 1. Section 2 is hereby amended to include the following additional functions of the NITC:

- a. Advise the President, Congress, and other sectors of government and business on IT policy and its various aspects;
- b. Coordinate and oversee the implementation of IT21 and its successor plans;
- c. Harmonize and coordinate all IT public initiatives, programs, and projects to ensure their consistency with the goals of IT21;
- d. Source necessary funds both from the private and public sectors to support the implementation of the IT21;
- e. Promote strategic partnership and alliances among local firms and institutions with leading international R&D, educational and training institutions, technology providers, developers, and manufacturers to speed up industry growth;
Create and maintain a national database on IT as part of the national statistical system;
- g. Perform such other functions as may be assigned by the President.

Section 2. Section 3 is hereby revised to read as follows:

“Section 3. The Council shall have the following composition:

Secretary, Department of Science and Technology	Chairman
Director General, National Economic and Development Authority	Co-Chairman
Private Sector Representative	Co-Chairman
Secretary, Department of Trade and Industry	Member
Secretary, Department of Education Culture and Sports	Member
Secretary, Department of Budget and Management	Member
Chairman, Commission on Higher Education	Member
Secretary, Department of Transportation and Communication	Member
Director General, Technical Education and Skills Development Authority	Member
Managing Director, National Computer Center	Member
One 1) Representative each from the federation of private industries directly related to information technology sector	Member

The Private Sector Representatives, including the Co-Chairman, shall be appointed by the Council for a term of not more than three (3) years each.

The Council shall also establish a Secretariat to be composed of government and private sectors, to provide technical and administrative support to the Council.

The Council may create, as may be necessary, Committees, advisory bodies and other Technical Working Groups for the furtherance of its objectives.

Section 3 Section 6 is hereby revised to read as follows:

“Section 6. The operational budget of the Council shall be sourced from its members to be determined and agreed upon by the Council.”

Section 4. Repealing Clause. All issuances, orders, rules, and regulations or parts thereof which are inconsistent with any of the provision of this Executive Order are hereby repealed or modified accordingly.

Section 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, on this 23rd day of February, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 470
CREATING THE PHILIPPINE COUNCIL FOR MENTAL HEALTH

WHEREAS, the Philippine Constitution provides that the State shall protect and promote the right to health of the people, instill health consciousness among them and adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost;

WHEREAS, the World Health Organization (WHO) wholistically defines health as the state of physical, social and mental well-being, rather than merely the absence of physical diseases. Good mental health means not simply the absence of detectable mental disorder but a state of well-being in which the individual is able to utilize his abilities, work productively and fruitfully and contribute to the community;

WHEREAS, the scope of Mental Health covers not only mental disorders and substance (drug and alcohol) abuse but also other mental health-associated issues and problems, such as those arising from a) medical illnesses; b) psychosocial issues of daily living; c) being part of high risk groups such as victims of disasters, children, women and the elderly; d) family disruptions due to overseas employment and internal migration; and, e) changing lifestyles brought about by rapid urbanization and globalization; and,

WHEREAS, present responses of the government, non-government, private and academic institutions at the national, regional, and local levels on mental health indicate that there is need to improve public awareness of mental health as an integral component of the total health care, to ensure its inclusion in the Government's package of health care programs.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the power vested in me by the Constitution do hereby order the creation of the Philippine Council for Mental Health (PCMH) which shall serve as the policy-making and advisory body on all government programs on mental health and which shall hereinafter be referred to as the "Council".

SECTION 1. Composition. The Council shall be chaired by the Secretary of Health and composed of the following as members:

- a. Secretary, Department of Social Welfare and Development;
- b. Secretary, Department of Education, Culture and Sports;
- c. Secretary, Department of Justice;
- d. Secretary, Department of Labor and Employment;
- e. Secretary, Department of Interior and Local Government;
- f. Medical Center Chief, National Center for Mental Health;
- g. Chairman, Department of Psychiatry, UP-PGH;
- h. Chairman, Commission on Higher Education;

-
- i. Director General, Technological Education and Skills Development Authority; and, Three (3) representatives from the non-government organizations concerned with mental health to be appointed by the Chairman of the Council.

SEC. 2. Functions of the Council. The council shall undertake the following:

- a. Formulate policies and guidelines on mental health issues and concerns;
- b. Develop a comprehensive and integrated national plan on mental health;
- c. Conduct periodic monitoring, evaluation and research in support to policy formulation and plan on mental health;
- d. Promote and facilitate collaboration among sectors and disciplines for the design, development and implementation of sectoral Mental Health plans;
- e. Review all existing laws related to mental health and recommend legislations which will sustain and strengthen existing programs and services and other mental health initiatives;
- f. Advise the President in the field of mental health; and,
- g. Submit annual report to the President.

SEC. 3. Institutional Support. The Council is hereby authorized to call upon any department, bureau, office or instrumentalities of the government, including government-owned and controlled corporations (GOCC) to extend all necessary assistance to the Council. The DOH shall provide the technical, administrative and secretariat support to the Council.

SEC. 4. Funding. The Council shall derive its funding from the DOH 1998 budget. Appropriations for the succeeding years shall be incorporated in the regular budget of the DOH.

SEC. 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of February, in the year of our Lord Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 471
DECLARING FULL DEREGULATION OF THE
DOWNSTREAM OIL INDUSTRY

WHEREAS, Republic Act No. 7638, otherwise known as the “Department of Energy Act of 1992,” provides that, “at the end of four years from its effectivity last December 1992, the Department [of Energy] shall, upon approval of the President, institute the programs and timetable of deregulation of appropriate energy projects and activities of the energy sector”;

WHEREAS, Section 19 of Republic Act No. 8479, otherwise known as the “Downstream Oil Industry Deregulation Act of 1998,” provides that “[T]hat when the public interest so requires, the President may accelerate the start of full deregulation upon the recommendation of the DOE and the Department of Finance (DOF) when the prices of crude oil and petroleum products in the world market are declining and the value of the peso in relation to the US dollar is stable, taking into account relevant trends and prospects: Provided, further, That the foregoing provision notwithstanding, the five (5) month Transition Phase shall continue to apply to LPG, regular gasoline and kerosene as socially-sensitive petroleum products and said petroleum products shall be covered by the automatic pricing mechanism during the said period”;

WHEREAS, pursuant to the joint recommendation of the Department of Energy and the Department of Finance, and in the interest of the consuming public, recent developments favor the acceleration of the start of full deregulation of the downstream oil industry because: (i) the prices of crude oil and petroleum products in the world market are beginning to be stable and on a downtrend since January 1998; and (ii) the exchange rate of the peso in relation to the US dollar has been stable for the past three months, averaging at around P40.00 to one US dollar;

WHEREAS, Executive Order No. 377 dated 31 October 1996 provides for an institutional framework for the administration of the deregulated industry by defining the functions and responsibilities of various government agencies;

WHEREAS, pursuant to Republic Act No. 8479, the deregulation of the industry will foster a truly competitive market which can better achieve the social policy objectives of fair prices and adequate, continuous supply of environmentally-clean and high quality petroleum products;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by the powers vested in me by law, do hereby declare the full deregulation of the downstream oil industry; provided, however, that LPG, regular gasoline and kerosene shall be covered by the Automatic Pricing Formula pursuant to R.A. No. 8479.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 14th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 472
INSTITUTIONALIZING THE COMMITTEE ON FUEL CONSERVATION
AND EFFICIENCY IN ROAD TRANSPORT

WHEREAS, it is the policy of the State to ensure adequate supply of energy through, among others, the judicious conservation, renewal and efficient utilization of energy, to meet the requirements of national development;

WHEREAS, there is a need to rationalize the present pattern of gasoline and fuel consumption in the transport sector to promote efficient utilization and thus, save foreign exchange expenditures on fuel and reduce fossil fuel emissions detrimental to the environment;

WHEREAS, it is necessary to enhance and sustain public awareness and consciousness on the efficient utilization of fuel in road transport;

WHEREAS, there is a need to establish a coordinating body to formulate and efficiently carry out a comprehensive, cross-sectoral and integrated information dissemination program on fuel conservation and its efficient utilization;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Establishment of the Committee on Fuel Conservation and Efficiency in Road Transport. There is hereby created a Committee on Fuel Conservation and Efficiency in Road Transport, hereinafter referred to as the Committee.

SECTION 2. Composition. The Committee shall be composed of the following:

Department of Energy	Chairman
Department of Transportation and Communication	Co-Chairman
Department of Environment and Natural Resources	Member
Department of Public Works and Highways	Member
Department of Interior and Local Government	Member
Department of Education, Culture and Sports	Member
Department of Science and Technology	Member
Department of Trade and Industry	Member
Department of Finance	Member
Metro Manila Development Authority	Member
Philippine Information Agency	Member
University of the Philippines- National Center for Transportation Studies	Member
Commission on Higher Education	Member
Technical Education and Skills Development Authority	Member
Six (6) Private Sector Representatives as may be determined by the Committee	Member

The private sector representatives shall be appointed by the Committee Chairman from the transport industry, consumers' groups, non-governmental organizations and broadcast and print media, among others.

SECTION 3. Powers and Functions. The Committee shall have the following functions:

- a. Formulate and carry out a nationwide information dissemination campaign on fuel conservation and efficiency measures in road transport, including the use of clean fuels;
- b. Encourage active private sector participation and initiatives in fuel conservation activities;
- c. Regularly monitor and evaluate the pattern and level of fuel consumption in road transport to serve as guide in the rationalization program; and,
- d. Perform other tasks necessary and incidental to the implementation of this Executive Order.

SECTION 4. Formulation of Implementing Guidelines and Programs and Creation of Subcommittees. The Committee may promulgate implementing guidelines and devise appropriate programs to attain the objectives of this Order. It may also create subcommittees and task forces necessary for the effective discharge of its functions.

SECTION 5. Coordination with Other Government Agencies, NGOs and Other Private Entities. The Committee is hereby authorized to call on and mobilize any government agency and instrumentality, including local government units, government-owned and controlled corporations, schools and institutions of learning, for support and assistance in the implementation of this Order.

SECTION 6. Funding. The Committee shall enlist contributions from its members to fund its Program of Activities. For this purpose, a cost-sharing scheme may be adopted by member-agencies and the private sector.

SECTION. 7. Reportorial Requirement. The Committee shall submit a bi-annual report to the Office of the President containing the activities, plans and programs as well as the accomplishments of the Committee.

SECTION 8. Repealing Clause. All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 9. Effectivity. This order shall take effect immediately.

DONE in the City of Manila, this 25th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 473
PROVIDING FOR THE SEGREGATION AND UNBUNDLING OF
ELECTRICAL POWER TARIFF COMPONENTS OF THE NATIONAL POWER
CORPORATION AND THE FRANCHISED ELECTRIC UTILITIES

WHEREAS, Section 28 of Article II of the Constitution provides that “the State adopts and implements a policy of full public disclosure of all its transactions involving public interest”;

WHEREAS, Section 5 of Article II of the Constitution provides that “the protection of x x x property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy”;

WHEREAS, wholesome and constructive competition promotes satisfaction and efficiency in the management and operation of the public service;

WHEREAS, the generation, transmission, and distribution of electric power are separate and distinct fields of activity with different cost considerations;

WHEREAS, the National Power Corporation (NPC) and franchised electric utilities have been traditionally providing electric power service to customers whereby the generation, transmission, and distribution of electric power are integrated or combined and charged as a single tariff;

WHEREAS, Executive Order No. 215, series of 1987, and its implementing rules and regulations allowing private sector participation in power generation prescribes the transmission or wheeling of power to electric utilities and mandates the NPC and franchised electric utilities with transmission and/or distribution facilities of 69 kilovolts (KV) or above to file with the Energy Regulatory Board (ERB) standard interconnection policies and procedures, and wheeling tariffs for the ERB’s approval;

WHEREAS, in the interest of transparency and accountability and consistent with Executive Order No. 215, series of 1987, and its implementing rules and regulations and to rationalize the economic and efficient generation, transmission and distribution of electricity, there is a need to identify, segregate and “unbundle” the different components of the electricity tariff that NPC and the franchised electric utilities are charging their respective customers;

WHEREAS, in the decision in ERB Case No. 96-118, dated June 11, 1997, the ERB approved an open access transmission tariff and tariff for ancillary services to allow non-discriminatory use of NPC’s transmission grid by private sector generating facilities and electric utilities;

WHEREAS, pursuant to Republic Act No. 7638, series of 1992, the Department of Energy (DOE) is mandated, among others, to provide for an environment conducive to free and active private sector participation and investment in all energy activities; and

WHEREAS, ERB is mandated to determine, fix and prescribe the electric power rates of NPC, private electric utilities, and rural electric cooperatives.

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, consistent with the foregoing Constitutional policies and legal mandates, do hereby order the ERB, to formulate and adopt the necessary guidelines to identify the different types of services provided and the corresponding tariffs charged to customers, hereinafter

referred to as unbundled tariffs, by NPC and franchised electric utilities, within a period of sixty (60) days from the effectivity of this order.

For this purpose, unbundled tariffs shall include, as applicable but not limited to, generation charges, transmission, sub-transmission and distribution charges, ancillary service charges and service cost for supply of electricity.

This Executive Order shall take effect immediately.

Done in the City of Manila, this 17th day of April, in the year of our Lord, nineteen hundred and ninety-eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Executive Order Nos.: 440 - 488]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 474
ESTABLISHING THE COORDINATION AND
MANAGEMENT MECHANISM FOR THE PREPARATION AND
IMPLEMENTATION OF THE MINDANAO RURAL DEVELOPMENT PROGRAM

WHEREAS, Rural Development Programs (RDP) are multi-sectoral programs which focus on the development of rural communities in certain geographical areas;

WHEREAS, the Department of Agriculture is designated as the lead national government agency responsible for coordinating the preparation and implementation of the Mindanao Rural Development Program (MRDP);

WHEREAS, there is a need for an effective and stable mechanism for the coordination and management of the said program consistent with government's policy of devolution and ensuring the full participation of local government units;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Mindanao Rural Development Program Office. There is hereby established the Mindanao Rural Development Program Office, hereinafter referred to as the MRDP Office, as a Special Program under the Department of Agriculture for integrating, coordinating, supervising and formulating policies, investment programs and institutional capacity building initiatives, needed for the planning and implementation of rural development project undertakings in Mindanao. The MRDP shall be composed of a Program Board and a Program Management Office (PMO) which shall hold office in Kidapawan, Cotabato.

SEC 2. Program Board and Program Management Office.

(a) **The Program Board**, hereinafter referred to as the Board, shall be composed of the following:

The Secretary of Agriculture	Chairperson
The Regional Directors of the National Economic and Development Authority, Regions XI and XII	Vice-Chairpersons
The Governors of Provinces Participating in the MRDP	Members
Five Mayors Nominated from Participating Municipalities	Members
Regional Directors of the Department of Agriculture, Regions XI and XII	Members
Representatives from Government Agencies Involved in the Project (DENR, DAR, DILG, DPWH, DTI and other concerned agencies)	Members
Chairpersons of the Provincial Agricultural and Fisheries Councils (PAFCs) in the Provinces Participating in the MRDP	Members

Two Representatives from the Business Community or Chambers of Commerce from Participating Provinces	Members
Basic Sector Representatives: Farmers, Fisherfolk and Indigenous Peoples	Members
Representatives from NGOs	Members
Program Director, PMO	to be appointed by the Secretary

The Board shall have the following powers and functions:

- a. Review and endorse the development goals and policies for preparing the Mindanao Rural Development Program within the context of the Philippine Development Plan, existing Development Plans for Mindanao, supportive of the Government's agricultural development and food security agenda, the social reform policy and the national thrusts for poverty alleviation in the rural sector;
 - b. Provide overall direction, coordination and supervision in the planning, implementation, and monitoring of all program components and development activities of the Program;
 - c. Pool existing resources, and encourage the support and participation of national government agencies, local government units and non-government institutions in the planning and implementation of the various components of the Program;
 - d. Review and confirm the organization of the Program Management Office (PMO) and the appointment of its Program Director;
 - e. Review and endorse, through the Department of Agriculture, to the Department of Budget and Management, the annual budget of the MRDP office, and projects under the Mindanao Rural Development Program;
 - f. Approve implementing rules and regulations pertaining to the internal operations of the MRDP Office;
 - g. Amend the composition of the Board by inviting other representatives from concerned sectors or interested parties to join the Board, as necessary;
 - h. Perform such other functions and responsibilities as the President may direct.
- (b) **Program Management Office.** The Program Management Office (PMO) shall serve as the technical and administrative secretariat of the Board, and as such, undertake the day-to-day activities of the PMO. It shall have the following powers and functions:
- a. Lead the preparation of the multi-year Mindanao Rural Development program and annual plans and investment programs including the annual budget of the Program and submit the same to the Board;
 - b. Provide technical support and assistance, and coordinate with line agencies, local government units, financing institutions, non-government organizations, people's organizations, state universities and colleges, and other concerned entities in the formulation and planning, and subsequently the implementation of the Program;
Enter into contracts, through its Program Director, as may be necessary for the administrative operations of the MRDP Office subject to existing laws, rules and regulations;
 - d. Formulate IRR on the internal operations of the MRDP Office, for approval of the Board;
-

- e. Undertake periodic review and evaluation of the Program and shall, for the purpose, design and operate a program implementation and project benefit monitoring and evaluation system; and
- f. Perform such other functions and responsibilities as the Board may direct.

The PMO shall be headed by a full-time Program Director to be appointed by the Secretary, Department of Agriculture, in consultation with the Board. The PMO shall have a staff complement, the composition and structure of which shall be reviewed and endorsed by the Board.

SEC. 3. Role of Implementing Agencies. The concerned local government units, in close coordination with line agencies/departments and participating communities, shall be responsible for working with the PMO in planning their respective components, and all contracts entered into for the preparation and/or implementation of Program components shall be governed by existing procedures/arrangements adopted by the respective agencies.

SEC. 4. Operational Requirements. The Department of Agriculture shall allocate from any lump sum appropriations in the General Appropriations Act the amount as may be appropriate and necessary for the operational requirements of the MRDP Office based on the work and financial program submitted by the Board.

SEC. 5. MRDP Office Term. The MRDP Office shall have a term corresponding to the time required for completing preparation of the Program, and subsequently for the implementation period of projects included in the Program.

SEC. 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 475

**TRANSFERRING THE PHILIPPINE COAST GUARD FROM THE DEPARTMENT OF
NATIONAL DEFENSE TO THE OFFICE OF THE PRESIDENT, AND FOR OTHER PURPOSES**

WHEREAS, the Philippine Coast Guard (PCG) is an agency created and established as a major unit of the Philippine Navy pursuant to Republic Act No. 5173;

WHEREAS, the mandate of the PCG and the program of government to rationalize Philippine maritime administration could be better pursued, and coordination with the private sector and the different departments and agencies of government which require the services of the PCG could be properly managed, if the PCG is placed under the Office of the President;

WHEREAS, The PCG remains a major subordinate unit of the Philippine Navy by virtue of Sec. 54, Chapter 8, Subtitle II, Title VIII, Book IV of EO 292 dated 25 July 1987, otherwise known as the “Administrative Code of 1987”, and assigned functions pertaining to the promotion of safety of life at sea and the protection of the marine environment;

WHEREAS, Sec. 31, Chapter 10, Title III, Book III of EO 292 grants the President the continuing authority to reorganize the Office of the President by, among others, transferring any agency or function to the Office of the President;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

SECTION 1. TRANSFER. The PCG is hereby transferred from the Philippine Navy, Armed Forces of the Philippines, Department of National Defense to the Office of the President.

SECTION 2. POWERS AND FUNCTIONS. The PCG shall continue to be the agency primarily responsible for the promotion of safety of life at sea and the protection of the marine environment pursuant to the provisions of RA 5173, PD 600, PD 601, PD 602, PD 979, as amended.

SECTION 3. IMPLEMENTING REQUIREMENTS. There is hereby created a *Transition and Liquidation Committee* to be composed of the DOTC as Chairman, the Philippine Navy, PCG, Department of Budget and Management and the Office of the President as members. These agencies shall designate their respective representatives to this Committee which shall recommend to the President the necessary plans and measures to effect the transfer within 30 days from the signing of this EO. The Committee shall likewise, undertake the appropriate inventory and disposition of all PCG properties.

SECTION 4. PCG ASSETS. The current appropriations of the PCG and assets presently under its possession, supervision and/or control shall be deemed PCG properties such as, *inter alia*, vessels, watercraft, firearms, armaments, munitions, communications and electronic equipment, vehicles, buildings, real estate, and lighthouses. Such properties and their records are hereby transferred to the PCG.

SECTION 5. APPROPRIATIONS. Such sums as may be needed to carry out the provisions of this Executive Order which are appropriated for the PCG at the time of the approval of this Executive

Order shall continue to be carried in subsequent annual General Appropriations Act. Thereafter, the PCG shall prepare its own budget as a Key Budgetary Item (KBI).

SECTION 6. PAY, ALLOWANCES AND RETIREMENT OF UNIFORMED PERSONNEL. PCG uniformed personnel shall continue to receive the same base pay, longevity pay, and other allowances and benefits as authorized for corresponding grades and ranks in the AFP. PCG uniformed personnel shall continue to be covered by PD 1638 (AFP Retirement Law), as amended until such time as the PCG is able to establish its own retirement system under a regime and timetable agreed upon by the Committee.

SECTION 7. REPEALING CLAUSE. All Executive Orders, Rules and Regulations or parts thereof contrary to or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 30th day of March, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 476
FURTHER AMENDING EXECUTIVE ORDER 169, SERIES OF 1994
BY MODIFYING THE REPRESENTATIONS OF DOF AND DBM
TO THE CENTRAL BANK - BOARD OF LIQUIDATORS

WHEREAS, pursuant to Section 132 (e) of Republic Act No. 7653, the Central Bank-Board of Liquidators (CB-BOL) has the responsibility of administering, disposing of and liquidating all assets and liabilities of the Central Bank of the Philippines not transferred to or assumed by the Bangko Sentral ng Pilipinas (BSP);

WHEREAS, Executive Order No. 169, series of 1994, prescribed that the Board shall be composed of a chairman and two members;

WHEREAS, Executive Order No. 455, series of 1997, reconstituted the composition of the Board and increased its membership to five;

WHEREAS, there is a need to rationalize the representation of the Department of Finance and the Department of Budget and Management to the said Board;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Executive Order No. 169, series of 1994, as amended, as follows:

SECTION 1. Section 3 of Executive Order No. 169, series of 1994, as amended, is hereby further amended to read as follows:

“**SEC. 3. *Composition of the Board.*** The Board shall be composed of a Chairman and four (4) Members as follows:

- a. A representative of the Office of the President of the Philippines who shall act as Chairman of the Board;
- b. A representative of the Monetary Board to be designated by the Chairman, Monetary Board, from among the full-time Monetary Board members;
- c. A representative of the Department of Finance to be designated by the Secretary of Finance;
- d. A representative of the Department of Budget and Management to be designated by the Secretary of Budget and Management;
- e. The Executive Director of the Board to be nominated by the Board.”

“They shall be appointed by, and shall serve at the pleasure of the President.”

SEC. 2. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 477
TRANSFERRING THE PHILIPPINE COAST GUARD TO THE DEPARTMENT OF
TRANSPORTATION AND COMMUNICATIONS

WHEREAS, the Philippine Coast Guard (PCG), an agency under the Office of the President, is mandated to promote the safety of life and property at sea and to protect the marine environment;

WHEREAS, the mandate of the PCG and the program of government to rationalize Philippine maritime administration by ensuring better policy and program coordination and implementation could be properly effected if the PCG is placed under the Department of Transportation and Communications (DOTC);

WHEREAS, Sec. 31, chapter 10, Title III, Book III of EO 292 grants the President the continuing authority to reorganize the Office of the President by, among others, transferring any agency or function thereof to any department or agency;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

SECTION 1. TRANSFER. The PCG is hereby transferred from the Office of the President to the DOTC. The DOTC shall exercise administrative supervision over the PCG.

SECTION 2. POWERS AND FUNCTIONS. The PCG shall continue to be the agency primarily responsible for the promotion of safety of life at sea and the protection of the marine environment pursuant to the provisions of RA 5173, PD 600, PD 601, PD 602, PD 979, as amended.

SECTION 3. IMPLEMENTING REQUIREMENTS. The *Transition and Liquidation Committee* created pursuant to Executive Order No. 475 shall continue to exercise its functions. The Committee shall continue to prepare and recommend to the President the necessary plans and measures to effect the transfer within 30 days from the signing of EO 475 including the undertaking of appropriate inventory and disposition of all PCG properties.

The Committee shall likewise, prepare plans and measures to ensure the smooth transfer of personnel from the PN to the PCG. Such plans and measures shall include the rules and guidelines covering matters pertaining to the transfer of commissioning of PCG officers, the administration of discipline and order during the transition period and, appointments and promotions and benefits of officers and enlisted men of the PCG, among others.

SECTION 4. PCG ASSETS. The current appropriations of the PCG and assets presently under its possession, supervision and/or control shall be deemed PCG properties such as, *inter alia*, vessels, watercraft, firearms, armaments, munitions, communications and electronic equipment, vehicles, buildings, real estate, and lighthouses. Such properties and their records are hereby transferred to the PCG.

SECTION 5. APPROPRIATIONS. The funds which are appropriated for the PCG at the time of the approval of this Executive Order shall continue to be drawn by the PCG from the Philippine Navy

budget until the end of 1998. Thereafter, the PCG shall prepare its own budget as a Key Budgetary Item (KBI).

SECTION 6. PAY, ALLOWANCES AND RETIREMENT OF UNIFORMED PERSONNEL. PCG uniformed personnel shall continue to receive the same base pay, longevity pay, and other allowances and benefits as authorized for corresponding grades and ranks in the AFP. PCG uniformed personnel shall continue to be covered by PD 1638 (AFP Retirement Law), as amended until such time as the PCG is able to establish its own retirement system under a regime and timetable agreed upon by the Committee.

SECTION 7. REPEALING CLAUSE. All Executive Orders, Rules and Regulations or parts thereof contrary to or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 15th day of April, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 478
INCREASING THE MINIMUM ACCESS VOLUME (MAV) FOR COFFEE BEANS
UNDER THE AGRICULTURAL TARIFFICATION ACT

WHEREAS, for the year 1998 there is an estimated supply shortage of 6,400 metric tons (MT) of coffee beans due to the drought induced by the “El Niño” phenomenon which caused severe damage to the country’s standing coffee crops and is expected to further reduce subsequent crop production;

WHEREAS, Section 6 of Republic Act No. 8178, otherwise known as the “Agricultural Tariffication Act”, provides that in case of shortages or abnormal price increases in agricultural products, whose quantitative restrictions are lifted under the said law, the President may propose revisions, modifications or adjustments of MAV to Congress which has to act within fifteen days from receipt of the proposal, otherwise, the same shall be deemed approved;

WHEREAS, a proposal was submitted by the President to Congress on February 6, 1998 to increase the 1998 MAV for coffee beans by 5,000 MT from 1,060 MT (1997) to 6,060 MT;

WHEREAS, the Congress did not act on the aforesaid proposal within the prescribed period.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines and pursuant to the provisions of Republic Act No. 8178, do hereby order:

Section 1. The Minimum Access Volume (MAV) for coffee beans in the authorized 1997 MAV of 1,060 metric tons (MT) is hereby increased to 6,060 metric tons (MT); Provided, That any unavailed balance at the end of 1998 shall not be carried over to 1999.

Sec. 2. The MAV Management Committee is hereby authorized to allocate volume importation to qualified importers of coffee beans pursuant to the Rules and Regulations for the Implementation of Agricultural MAVs.

Sec. 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this 22nd day of May, in the year of Our Lord, nineteen hundred and ninety-eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **ALEXANDER P. AGUIRRE**
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 479
AMENDING EXECUTIVE ORDER NO. 249 DATED MAY 29, 1995 GRANTING
PERMANENT RESIDENT STATUS TO CERTAIN VIETNAMESE
CITIZENS AND FILIPINO-VIETNAMESE CHILDREN

WHEREAS, there is a need to extend the period given to the Bureau of Immigration within which to process the residency and citizenship papers of the individuals covered by Executive Order No. 249;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. The period given to the Bureau of Immigration within which to process the residency and citizenship papers of the individuals covered by Executive Order No. 249 is hereby extended ninety (90) days from the publication of this Order. The Secretary of Justice shall submit his report on the implementation of Executive Order No. 249 to the Office of the President within thirty (30) days from completion by the Bureau of Immigration of the processing of the papers.

2. This Order shall take effect immediately.

Done in the City of Manila, this 31 day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RENATO C. CORONA
Chief Presidential Legal Counsel

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 480
AMENDING EXECUTIVE ORDER NO. 380 DATED 2 DECEMBER 1996,
“CREATING THE INDUSTRY DEVELOPMENT COUNCIL,
DEFINING ITS COMPOSITION, POWERS AND FUNCTIONS”

WHEREAS, the Industry Development Council was created on 2 December 1996, pursuant to Executive Order No. 380, to serve as a coordinating mechanism for the concerted and collective efforts of the government and private sectors to create a favorable business climate that will enhance the growth and expansion of our local industries;

WHEREAS, there is a need to further broaden sectoral representation in the IDC to strengthen its capabilities in addressing the development concerns of the local industries;

WHEREAS, the membership of the Department of Environment and Natural resources in the IDC shall provide the sustainable development perspective in the promotion of competitiveness in the local industries and facilitate the resolution of environment-related concerns;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Executive Order No. 380 dated 2 December 1996, and order the following:

Section 1. Inclusion of DENR in the Council’s Membership. Section 2 of Executive Order No. 380 is hereby amended to read as follows:

“**Section 2:** Composition: The Council shall be composed of the following:

Secretary of Trade and Industry	Chairman
Presidents of Philippine Chamber of Commerce and Industry, Inc. and Federation of Philippine Industries, Inc.	Vice-Chairmen
Secretary of Finance	Member
Secretary of Agriculture	Member
Secretary of Foreign Affairs	Member
Secretary of Science and Technology	Member
Secretary of Labor and Employment	Member
Director General of the National Economic and Development Authority	- Member
Governor of the Bangko Sentral ng Pilipinas	Member
Secretary of Environment and Natural Resources	Member
Seven (7) Representatives of the Private Sector	Members

Section 2. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, on this 27th day of April, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 481
DIRECTING THE USE, DISPOSITION, AND ADMINISTRATION OF THE COCONUT
LEVY FUNDS TO REHABILITATE THE COCONUT INDUSTRY

WHEREAS, the following laws established the coconut levy funds to support and advance the development of the coconut industry for the ultimate benefit of the coconut farmers:

- (1) The Coconut Investment Fund created under RA 6260 (effective June 19, 1971), which “shall be used exclusively to pay the subscription by the Philippine government for and in behalf of the coconut farmers to the capital stock of said Company (The Coconut Investment Company)” [Sec. 8];
- (2) The Coconut Consumers Stabilization Fund created under PD 276 (effective August 20, 1973), which “shall be utilized to subsidize the sale of coconut-based products at prices set by the Price Control Council xxx” [Sec. 1(b)];
- (3) The Coconut Industry Development Fund created under PD 582 (effective November 14, 1974), which “shall be deposited with, and administered and utilized by, the Philippine National Bank through its subsidiary the National Investment and Development Corporation for the following purposes:
 - a) To finance the establishment, operation and maintenance of a hybrid coconut seednut farm xxx;
 - b) To purchase all the seednuts produced by the hybrid coconut seednut fund xxx;
 - c) To finance the establishment, operation and maintenance of extension services, model plantations and other activities as would ensure that the coconut farmers shall be informed of the proper methods of replanting their farms with the hybrid seednuts” [Sec. 2];
- (4) The Coconut Industry Stabilization Fund, created under PD 1841 (effective October 2, 1981), which shall be collected and used for several “socio-economic and developmental programs for the benefit of the coconut farmers, in particular, and the coconut industry, as a whole xxx” [Sec. 1];

WHEREAS, in the case of *Philippine Coconut Producers Federation, Inc. (COCOFED) v. PCGG* (GR No. 75713, 02 October 1989, 178 SCRA 236), the Supreme Court stated that certain agencies or enterprises “were organized and financed with revenue derived from coconut levies imposed under a succession of laws of the late dictatorship xxx with deposed President Ferdinand Marcos and his cronies as the suspected authors and chief beneficiaries of the resulting “coconut industry monopoly”.

WHEREAS, the Presidential Commission on Good Government (PCGG), pursuant to Executive Order Nos. 1, 2, and 14, sequestered the said enterprises organized and financed with the proceeds of the coconut levy;

WHEREAS, in the same COCOFED case, the Supreme Court ruled that:

“The coconut levy funds are clearly affected with public interest. Until it is demonstrated satisfactorily that they have legitimately become private funds, they must prima facie and by reason of the circumstances in which they were raised and accumulated be accounted subject to the measures prescribed in Executive Order Nos. 1, 2, and 14, to prevent their concealment, dissipation, etc, which measures include the sequestration and other orders of the PCGG complained of.”

WHEREAS, the Supreme Court declared in the *Republic vs. Sandiganbayan* case (GR 96073, 16 February 1993, 240 SCRA 376) that:

“the coconut levy funds being ‘clearly affected with public interest’, it follows that the corporations formed and organized from those funds, and all assets acquired therefrom, should also be regarded as clearly affected with public interest.”

WHEREAS, the Commission on Audit, relying upon the declaration of the Supreme Court in the *Republic vs. Sandiganbayan* case, opined on 15 January 1993 that the coconut levy funds are public funds and therefore subject to government audit;

WHEREAS, the Bureau of Internal Revenue, in an answer to a query by the Philippine Coconut Authority Administrator as to the character of the coconut levy funds, relied upon the same Supreme Court ruling and held that “the coconut levy is not a public trust fund for the benefit of the coconut farmers, but is in the nature of a tax and, therefore, are public funds that are subject to government administration and disposition”;

WHEREAS, in the case of *Gaston vs. Republic Planters Bank* (L-77194, March 15, 1988, 158 SCRA 626) which involved the sugar levy funds, the Supreme Court laid down the principle that:

“The stabilization fees collected are in the nature of a TAX which is within the power of the State to impose for the promotion of the sugar industry. The collections made accrue to a special fund. xxx The tax collected is not a pure exercise of the taxing power. It is levied in the regulatory purpose, to provide means for the stabilization of the sugar industry. The levy is primarily in the exercise of the police power of the State.”

WHEREAS, in the same case, the Supreme Court held that:

“The stabilization fees in question are levied by the State upon sugar millers, planters, and producers for a special purpose -- that of ‘financing the growth and development of the sugar industry and all its components, stabilization of the domestic market including the foreign market.’ *The fact that the State has taken possession of moneys pursuant to law is sufficient to constitute them as state funds, even though they are held for a special purpose (Lawrence vs. American Surety Co., 263 Mich, 586, 249 ALR 535, cited in 42 Am. Jur. Sec. 2, p. 718). Having been levied for a special purpose, the revenues collected are to be treated as a special*

fund, to be, in the language of the statute, ‘administered in trust’ for the purpose intended. Once the purpose has been fulfilled or abandoned the balance, if any, is to be transferred to the general funds of the Government. That is the essence of the trust intended (see 1987 Constitution, Art. VI, Sec. 29 [3], lifted from the 1935 Constitution, Article VI, Sec. 23[1].”

WHEREAS, the above-stated principle is likewise applicable to the coconut levy funds, since these funds are not the same nature as the sugar levy funds, both being special public funds acquired through the taxing and police powers of the State;

WHEREAS, Executive Order No. 277, promulgated on 24 September 1995, directing the mode of treatment, utilization, administration and management of the coconut levy funds, provided that:

“(a) The coconut levy funds, which include all income, interests, proceeds or profits derived therefrom, as well as all assets, properties and shares of stocks procured or obtained with the use of such funds, shall be treated, utilized, administered and managed as public funds consistent with the uses and purposes under the laws which constituted them and the development priorities of the government, including the government’s coconut productivity, rehabilitation, research extension, farmers organizations and market promotions programs, which are designed to advance the development of the coconut industry and the welfare of the coconut farmers.”

WHEREAS, after the issuance of Executive Order No. 277, s. 1995, the Ad Hoc Committee therein established called for the formulation of a Master Plan for the rehabilitation of the coconut industry and the alleviation of the economic plight of coconut farmers, which plan which should now be fully implemented;

WHEREAS, there is an urgent need to address the issues confronting the coconut levy funds and the coconut industry, any further delay in which can worsen the state of the industry and cause further suffering to the coconut farmer.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, pursuant to the powers vested in me by law, declare and order that:

1. The coconut levy funds shall be used to rehabilitate and develop the coconut industry in accordance with the Master Plan and its amendments adopted pursuant to Executive Order No. 277, s. 1995, the excess of which shall be transferred to the general funds of the government;
2. The Presidential Commission on Good Government is directed to lift sequestration on said funds, assets, corporations, or entities set up therefor to the extent necessary to liquify said assets or funds or any part thereof for purposes of implementing the Master Plan adopted pursuant to Executive Order No. 277, s. 1995, and to sell such other excess assets for transfer to the general funds of the government;
3. A three-member Committee consisting of the heads of the Presidential Commission on Good Government (PCGG), Philippine Coconut Authority (PCA) and United Coconut Planters Bank (UCPB) shall administer in trust the disposition and use of said funds and assets for the foregoing special purpose until the excess thereof is transferred to the general funds of the government;

4. The disposition and use of the coconut levy funds and assets shall be subject to the rules and regulations pertinent to public funds for a special purpose, including Section 29(3), Article VI of the 1987 Constitution and subject further to the provisions of this Executive Order.

DONE in the City of Manila, this 1st day of May, in the year of Our Lord Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RENATO C. CORONA

Chief Presidential Legal Counsel

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 482
AMENDING EXECUTIVE ORDER NO. 460 BY DELETING
SOME PORTIONS FROM THE TITLE AND FROM SECTIONS 1 AND 4 THEREOF,
AND BY ADDING ONE MORE SECTION THERETO

WHEREAS, on December 3, 1997, Executive Order No. 460 was issued, reactivating the jurisdiction and authority of the Special Committee on Naturalization to receive, consider, evaluate and approve pending petitions for naturalization of deserving aliens and to recommend action thereon to the President of the Philippines;

WHEREAS, on May 17, 1978, then President Ferdinand E. Marcos, exercising legislative powers, issued Presidential Decree No. 1379 granting authority to the Special Committee on Naturalization to approve remaining applications for naturalization;

WHEREAS, the delegation of legislative power which the President was exercising at that time may not be withdrawn by Executive Order No. 460, inasmuch as legislative power is now exercised by Congress and not by the President. Thus, the President may not be empowered under Executive Order No. 460 to grant citizenship by decree; and it is necessary that the delegation made to the Committee under P.D. 1379 be maintained;

WHEREAS, under P.D. 1379, the only power left to the Committee is to evaluate and consider pending applications; and since an Executive Order cannot amend a law, E.O. No. 460 cannot authorize the receipt of new applications;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

Section 1. That the title of Executive Order No. 460 shall be amended to read as follows:

**“REACTIVATING THE JURISDICTION AND AUTHORITY OF THE SPECIAL
COMMITTEE ON NATURALIZATION TO CONSIDER, EVALUATE AND
APPROVE PENDING PETITIONS FOR NATURALIZATION OF DESERVING
ALIENS.”**

Section 2. That Section 1 of Executive Order No. 460 shall be amended to read as follows:

**“Section 1. The Special Committee on Naturalization is hereby reactivated with
jurisdiction and authority to consider, evaluate, and approve PENDING petitions for
naturalization of deserving aliens, as provided under Presidential Decree No. 1379.”**

Section 3. That Section 4 of Executive Order No. 460 shall be amended to read as follows:

“Section 4. The funds necessary for payment of honoraria, allowances and other expenses in connection with the implementation of this Executive Order may be deducted from the fees collected by the Committee.”

Section 4. That Section 5 of Executive Order No. 460 shall read as follows:

“Section 5. All executive orders, administrative orders, memoranda, rules and regulations, or parts thereof that are in conflict with this Executive Order are hereby repealed or modified accordingly.”

Section 5. This Executive Order shall take effect immediately.

DONE in the City of Manila this 7th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 483
ADJUSTING THE DIVIDEND RATES OF SELECTED GOVERNMENT
OWNED AND/OR CONTROLLED CORPORATIONS ON THEIR 1997 NET EARNINGS
PURSUANT TO SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that;

“Section 1. Declaration of Policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of government owned and/or controlled corporations (GOCCs), the liquidity, retained earnings position and medium-term plans and programs of these GOCCs were considered in the determination of the reasonable dividend rates of such corporations on their 1997 net earnings;

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by the Manila International Airport Authority (MIAA) and Phividec Industrial Authority (PIA) in the interest of national economy and general welfare.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order.

SECTION 1. The percentage of net earnings to be declared and remitted by the MIAA and PIA as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is adjusted from at least fifty percent (50%) to the rates specified hereunder:

- | | | |
|----|--|------------|
| 1. | Manila International Airport Authority | 35% (cash) |
| 2. | Phividec Industrial Authority | 25% (cash) |

SEC. 2. The adjusted dividend rates provided for under Section 1 are only applicable on 1997 net earnings of the concerned government owned and/or controlled corporations.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 2nd day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 484

APPROVING AND ADOPTING THE MEDIUM TERM YOUTH DEVELOPMENT PLAN: 1999-2004 AND CREATING A MONITORING COMMITTEE TO OVERSEE ITS IMPLEMENTATION

WHEREAS, pursuant to Section 2 (a) of R.A. 8044 series of 1995, the National Youth Commission (NYC) formulated the Medium Term Youth Development Plan (MTYDP): 1999-2004 which contains the government's vision for the development and empowerment of the youth and ensure their active participation in national affairs;

WHEREAS, the timely, efficient and effective implementation of the policies, programs and activities in the MTYDP: 1998-2004 are crucial in ensuring that the goals and visions of the Plan are realized and will redound to a better quality of life of the Filipino youth; and,

WHEREAS, there is need for an inter-agency body to assist the NYC in overseeing, monitoring and ensuring the successful implementation of the MTYDP: 1998-2004.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by Law, do hereby approve the Medium Term Youth Development Plan: 1999-2004, and hereby order:

SECTION 1. Creation of the MTYDP Monitoring Committee. The MTYDP Monitoring Committee, hereinafter referred to as the "Committee", is hereby created to oversee and monitor the implementation of the programs and projects contained in the Medium Term Youth Development Plan: 1999-2004, hereinafter referred to as the "Plan".

Sec. 2. Composition. The Committee shall be composed of the Chairperson, NYC, as Chairperson; Deputy Director-General, National Economic and Development Authority (NEDA), as Vice-Chairperson; and senior officers with the rank not lower than Assistant Secretary (or its equivalent) of the following agencies, as members:

1. Department of Education, Culture and Sports;
2. Department of Environment and Natural Resources;
3. Department of Health;
4. Department of the Interior and Local Government;
5. Department of Justice;
6. Department of Labor and Employment;
7. Department of National Defense;
8. Department of Social Welfare and Development;
9. Department of Trade and Industry;
10. Commission on Higher Education,
11. Technical and Skills Development Authority; and,
12. Public Information Agency.

There shall be two (2) private sector members in the Committee, representing the youth sector, who shall be appointed by the Committee Chairperson.

Sec. 3. Functions. The Committee shall have the following functions:

Formulate an appropriate monitoring scheme which shall provide regular and up-to-date information on the progress of the Plan;

2. Provide administrative and institutional assistance towards the speedy implementation of various policies, projects and activities in the Plan;
3. Facilitate resolution of issues and concerns which may affect the implementation of the Plan;
4. Conduct a public information campaign that will highlight the beneficial impact of the Plan; Conduct impact studies or post-implementation evaluation of the Plan;
6. Submit regular reports to the President on the status of implementation of the Plan; and,
7. Undertake such other duties and functions as may be directed by the President.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporation for such assistance as it may need in the discharge of its functions.

Sec. 4. Secretariat and Administrative Support. The NYC shall provide technical and administrative support to the Committee.

Sec. 5. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila this 8th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 485
ESTABLISHING THE YOUTH ENTREPRENEURSHIP PROGRAM AND
CREATING THE NATIONAL COOPERATORS COUNCIL, PROVIDING
FOR ITS FUNCTIONS AND FOR OTHER PURPOSES

WHEREAS, Section 2 of R.A. 8044, series of 1995 or the “Youth in Nation-Building Act” provides for the encouragement of youth involvement in character building, development activities for civic efficiency, stewardship of natural resources, agricultural and industrial activity and participation in structures, policy-making and program implementation to reduce poverty incidence and accelerate socio-economic development;

WHEREAS, the National Youth Commission (NYC) pursuant to its mandate under R.A. 8044, series of 1995, has formulated the Youth Entrepreneurship Program (YEP) which aims to develop the entrepreneurial skills of the youth and encourage them to participate and organize business enterprises;

WHEREAS, under the Medium Term Youth Development Plan (MTYDP): 1999-2004, the YEP is one of the flagship programs for the sector, with five major components as follows: Business Plan Development and Training, Credit Assistance and Lending, Mentoring, Market Syndication and Linkaging, and Business Information Network; and,

WHEREAS, there is need to create a body that will assist the NYC in ensuring the successful implementation of the YEP.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by Law, do hereby order:

SECTION 1. Approval of the Youth Entrepreneurship Program (YEP). The YEP as formulated by the NYC is hereby approved for implementation. The Program, which is envisioned to develop the entrepreneurial skills of the youth and thereby contribute to nation-building, shall have the following components:

- a. **Business Plan Development and Training**, which involves the provision of technical assistance such as basic skills training on the preparation/development of business plans, starting and managing business enterprises, continuing entrepreneurship education and competence development activities aimed at improving business operations;
- b. **Credit Assistance and Lending**, which involves the provision of information on available credit and lending facilities in government agencies and the system/mechanism to access available resources for viable and profitable business proposals;
- c. **Mentoring**, which involves the establishment of a mentor-apprentice relationship between the agency and the youth and provide opportunities for young entrepreneurs to meet and receive advice from senior businessmen/executives who are experts in business development;
- d. **Market Syndication and Linkaging**, which will link the young entrepreneurs with the market through the organization of trade fairs and/or business matching activities; and,

-
- e. **Business Information Network**, which involves the provision of continuing information assistance to young entrepreneurs concerning market trends, other business opportunities and technologies that will improve products, services, and business operations through publications or internet access.

Sec. 2. Creation of the Youth Entrepreneurship Program National Cooperators Council. There is hereby created the Youth Entrepreneurship Program National Cooperators Council, hereinafter referred to as the “Council”, that will oversee, plan and coordinate the implementation of the YEP.

Sec. 3. Composition. The Council shall be composed of the Secretary of the Department of Trade and Industry as Chairman, the Chairperson of the NYC as Co-Chairperson, and senior officers with the rank not lower than Assistant Secretary (or its equivalent) of the following agencies, as members:

- a. Department of Labor and Employment;
- b. Department of Social Welfare and Development;
- c. Department of Interior and Local Government;
- d. Department of Agrarian Reform;
- e. Department of Science and Technology;
- f. Commission on Higher Education;
- g. Presidential Management Staff;
- h. Development Bank of the Philippines;
Land Bank of the Philippines;
- j. Quedan Rural Credit Guarantee Corporation;
- k. Livelihood Corporation;
Technology and Livelihood Resource Center;
- m. Technical Education and Skills Development Authority;
- n. Cooperative Development Authority; and,
- o. Small Business Guarantee and Finance Corporation.

Section 4. Functions and Responsibilities of the Council. The Council shall undertake the following:

- a. Formulate implementing guidelines that may be necessary in ensuring the successful implementation of the Program;
- b. Strengthen existing youth-oriented entrepreneurship projects and/or develop new projects as may be necessary, for possible integration/enrollment into the Program;
- c. Undertake proper coordination with government agencies and the private sector to facilitate provision of technical and funding assistance to Program beneficiaries;
- d. Provide regular update reports to the President on the implementation of the Program; and,
- e. Perform such other functions as may be assigned by the President.

Section 5. Enrollment of Programs under the YEP. The members of the Council shall identify and/or develop youth-oriented entrepreneurship programs (consistent with their respective mandates and policies), for enrollment under the Program. These enrolled programs shall be classified along the following major components: Business Plan Development and Training, Credit Assistance and Lending, Mentoring, Market Syndication and Linkaging, Business Information Network.

Section 6. YEP Action Officers. Concerned members of the Council shall designate their respective YEP Action Officers from their existing personnel, both in the national and regional levels, and whenever applicable, at the provincial, city or municipal levels. The YEP Action officers shall have the following responsibilities:

- a. Act as the point person of the agency in the implementation of the Program;
- b. Coordinate the implementation of the agency's YEP-enrolled program, as provided in Section 4 of this Order;
- c. Prepare and submit implementation reports of the enrolled program in support of the overall objectives of the Program;
- d. Liaise with the Program Secretariat regarding the implementation of policies and activities agreed upon by the members of the Council.

Section 7. Institutional Linkages and Partnerships. The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporation for such assistance as it may need in the discharge of its functions.

The Council may call on the private sector groups (business community, academe, social and civic organizations) and other non-government organizations to provide technical and funding assistance for the Program.

The Council is further authorized to enter into partnership agreements with the private sector and with the concerned committees of Congress, whenever necessary, provided that all legal requirements and government rules and regulations are complied with, including rules and regulations of the Commission on Audit (COA).

Section 8. Funding. The concerned agencies involved in the implementation of the Program are hereby authorized to appropriate and/or allocate funds from their respective 1999 budgets, subject to existing government auditing and accounting rules and regulations.

To augment funds for the Program, the Council may solicit funding support and contributions from the private sector and foreign institutions for the program, subject to existing government rules, regulations and legal requirements of COA, Bureau of Internal Revenue (BIR) and Bangko Sentral ng Pilipinas (BSP), as may be necessary.

Section 9. Program Secretariat. The NYC shall provide secretariat, administrative and technical support to the Council.

Section 10. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 9th day of June, in the year of Our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 486
MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON CERTAIN
IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF
1978 (PRESIDENTIAL DECREE NO. 1464 AS AMENDED)

WHEREAS, the government has continued to implement a tariff rationalization program aimed at promoting global competitiveness, simplifying the tariff structure for ease of customs administration and providing for a level playing field for domestic manufacturers;

WHEREAS, Executive Order No. 465 was issued on 13 January 1998 in line with the agreement reached during the Competitiveness Caucus held on 4 July 1997, that a review of the tariff structure of 22 industries/sectors be undertaken to correct any remaining distortions thereon as well as to smoothen the pace of the schedule of tariff reduction to deserving industries;

WHEREAS, following the issuance of EO 465, it was deemed necessary to review the tariff structure of residual items to achieve a total and comprehensive phased tariff reduction program;

WHEREAS, the recalibration of the tariff reduction program shall not serve to delay or obviate the attainment of a uniform level of tariff protection by the year 2004;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in “Annex A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article as listed in the aforementioned “Annex”.

SECTION 2. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid “Annex” which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SECTION 3. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 1th day of June, in the year of Our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Reference: Annex "A"

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 487

MODIFYING THE RATES OF DUTY OF CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE 1998-2003 PHILIPPINE SCHEDULE OF TARIFF REDUCTION OF PRODUCTS TRANSFERRED FROM THE TEMPORARY EXCLUSION LIST TO THE INCLUSION LIST UNDER THE NEW TIME FRAME OF THE ACCELERATED COMMON EFFECTIVE PREFERENTIAL TARIFF SCHEME FOR THE ASEAN FREE TRADE AREA (CEPT-AFTA)

WHEREAS, at the 11th Meeting of the AFTA Council held in Subang Jaya, Malaysia on 15 October 1997, it was agreed that ASEAN Member Countries shall prepare the legal enactment to implement the schedule of tariff reductions of products transferred from the Temporary Exclusion List (TEL) to the Inclusion List under the new time frame covering the period from 1998-2003.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” (Articles Granted Concessions under the CEPT-AFTA) hereof as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN Common Effective Preferential Tariff in accordance with the 1998-2003 schedule indicated in Columns 4-9 of Annex “A”. The CEPT rates so indicated shall be accorded to any ASEAN Member State as soon as that country implements its CEPT tariff reduction schedules on the articles specified in Annex “A” hereof.

SECTION 2. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex “A” to a rate lower than the rate prescribed in Columns 4-9, such article shall automatically be accorded the corresponding reduced rate of duty.

SECTION 3. The Margins of Preference (MOPs) accorded under the ASEAN Preferential Trading Arrangements shall no longer be extended to any of the products listed in Annex “A” hereof.

SECTION 4. From the date of effectivity of this Order, all articles listed in Annex “A” entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 5. All decrees, order, issuances, and rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 11th day of June, in the year of our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Reference: Annex "A"

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 488

REPEALING ANNEX “B” OF EXECUTIVE ORDER NO. 453 SERIES OF 1997 AND
IMPLEMENTING THE ASEAN RATES OF DUTY OF CERTAIN IMPORTED ARTICLES AS
PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1998, AS AMENDED

WHEREAS, under Executive Order No. 287, Series of 1993, the Philippines started the implementation of its commitment under the new time frame of the accelerated Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area (CEPT-AFTA) which contained Annex “A” (Articles Granted Concessions under the CEPT-AFTA) and Annex “B” (Articles for Phasing-in the CEPT-AFTA);

WHEREAS, Annex “B” of E.O. 287 covered products excluded from the Philippine CEPT Inclusion List;

WHEREAS, implementation of the tariff reduction schedule of products under Annex “B” of E.O. 287 for the succeeding years is subject to the issuance of separate implementing Executive Orders;

WHEREAS, under Executive Order No. 453, Series of 1997, the Philippines continued to incorporate an Annex “B”;

WHEREAS, the Philippines is undertaking a continuous tariff rationalization program where changes in the basic (MFN) Philippine rate of duty have affected certain products in Annex “B” particularly those whose MFN rates have been raised;

WHEREAS, for products affected by the increase in the basic (MFN) Philippine rates of duty, the continued implementation of Annex “B” would result to a premature granting of the CEPT concessions;

WHEREAS, under the CEPT Agreement, ASEAN Member Countries are not obliged to provide a tariff reduction schedule for products excluded from the CEPT Inclusion List and, until these products are phased into the CEPT, Member Countries have the flexibility to determine the applicable ASEAN rates;

WHEREAS, the Special AEM Meeting in Phuket on 28-29 April 1995 agreed that the margins of preference accorded products under the Preferential Trading Arrangements (PTA) should be integrated into the CEPT eventually leading to a single trading arrangement in ASEAN;

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby order:

SECTION 1. Annex “B” of Executive Order No. 453, Series of 1997, is hereby repealed.

SECTION 2. The articles specifically listed in Annex “A” hereof (PTA Items Not Included in the CEPT Scheme), as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN rates of duty as indicated in Column 4 of Annex “A”. The rates so indicated shall be applied to imports coming from ASEAN Member Countries.

SECTION 3. The ASEAN rates of duty indicated in Column 4 of Annex “A” shall be in effect until such products are transferred to the CEPT Inclusion List in which case the CEPT rate of duty thereof under the Executive Order effecting said transfer shall apply.

SECTION 4. In the event that subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex “A” to a rate lower than the rate prescribed in Column 4, such article shall automatically be accorded the corresponding reduced rate of duty. In the event that the MFN rates of the products listed in Annex “A” are modified higher than the rates indicated in column 4 thereof, the ASEAN rates prescribed in said column 4 shall apply.

SECTION 5. The Margins of Preference (MOPs) accorded under the ASEAN Preferential Trading Arrangements shall no longer be extended to any of the products listed in Annex “A” hereof.

SECTION 6. From the date of effectivity of this Order, all articles listed in Annex “A” entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Protocol to Amend the Agreement on the ASEAN Preferential Trading Arrangements signed by the AEM on 15 December 1995.

SECTION 7. All other items covered by the repealed Annex “B” of Executive Order No. 453 but not listed in Annex “A” hereof shall be subject to the basic (MFN) Philippine rate of duty applicable at the time of importation.

SECTION 8. All decrees, order, issuances, and rules and regulations or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 9. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 11th day of June, in the year of our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **ALEXANDER P. AGUIRRE**

Executive Secretary

References: Annexes “A” and “B”

Source: **Presidential Management Staff**

Office of the President of the Philippines. (1997). *[Executive Order Nos.: 441 - 488]*. Manila: Presidential Management Staff.



President Fidel V. Ramos at the awarding ceremonies for 1997 National Artist, Ceremonial Hall, Malacañan Palace, December 8, 1997.

